



The Victors and the Vanquished

Christians and Muslims of
Catalonia and Aragon,
1050–1300

Brian A. Catlos

THE VICTORS AND THE VANQUISHED

This is a revisionary study of Muslims living under Christian rule during the Spanish “reconquest.” It looks beyond the obvious religious distinction and delves into the subtleties of identity in the thirteenth-century Crown of Aragon, uncovering a social dynamic in which sectarian differences comprise only one of the many factors in the causal complex of political, economic, and cultural reactions.

Beginning with the final stage of independent Muslim rule in the Ebro valley region, the book traces the transformation of Islamic society into *mudéjar* society under Christian domination. This was a case of social evolution, in which Muslims, far from being passive victims of foreign colonization, took an active part in shaping their institutions and experiences as subjects of the Infidel. Using a diverse range of methodological approaches, this book challenges widely held assumptions concerning Christian–Muslim relations in the Middle Ages, and minority–majority relations in general.

BRIAN A. CATLOS is Assistant Professor of History at the University of California, Santa Cruz.

Cambridge Studies in Medieval Life and Thought
Fourth Series

General Editor:

D. E. LUSCOMBE

Research Professor of Medieval History, University of Sheffield

Advisory Editors:

CHRISTINE CARPENTER

*Reader in Medieval English History, University of Cambridge, and
Fellow of New Hall*

ROSAMOND MCKITTERICK

*Professor of Medieval History, University of Cambridge, and Fellow of
Newnham College*

The series *Cambridge Studies in Medieval Life and Thought* was inaugurated by G. G. Coulton in 1921; Professor D. E. Luscombe now acts as General Editor of the Fourth Series, with Dr Christine Carpenter and Professor Rosamond McKitterick as Advisory Editors. The series brings together outstanding work by medieval scholars over a wide range of human endeavor extending from political economy to the history of ideas.

For a list of titles in the series, see end of book.

THE VICTORS AND THE
VANQUISHED

Christians and Muslims of Catalonia and Aragon, 1050–1300

BRIAN A. CATLOS



CAMBRIDGE
UNIVERSITY PRESS

CAMBRIDGE UNIVERSITY PRESS

Cambridge, New York, Melbourne, Madrid, Cape Town, Singapore, São Paulo

Cambridge University Press

The Edinburgh Building, Cambridge CB2 2RU, UK

Published in the United States of America by Cambridge University Press, New York

www.cambridge.org

Information on this title: www.cambridge.org/9780521822343

© Brian A. Catlos 2004

This publication is in copyright. Subject to statutory exception and to the provision of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press.

First published in print format 2004

ISBN-13 978-0-521-21640-4 eBook (NetLibrary)

ISBN-10 0-521-21640-8 eBook (NetLibrary)

ISBN-13 978-0-521-82234-3 hardback

ISBN-10 0-521-82234-3 hardback

Cambridge University Press has no responsibility for the persistence or accuracy of URLs for external or third-party internet websites referred to in this publication, and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.

نورية

n., fem.: luminary, bright, brilliant, radiant

CONTENTS

<i>List of figures</i>	page ix
<i>List of maps</i>	x
<i>List of tables</i>	xi
<i>Acknowledgments</i>	xiii
<i>Note on the citation of sources, dates, places, and names</i>	xv
<i>Glossary</i>	xvii
<i>List of abbreviations</i>	xxiii

INTRODUCTION I

Part I: Muslim domination of the Ebro and its demise, 700–1200

INTRODUCTION 21

1 THAGHR AND TAIFA	23
2 CHRISTIANS AND MUSLIMS: CONTACT AND CONQUEST	71

Part II: Muslims under Christian rule

INTRODUCTION 123

3 THE FINANCIAL AND JUDICIAL ADMINISTRATION OF MUDÉJAR SOCIETY	125
4 MUSLIMS IN THE ECONOMY OF THE CHRISTIAN EBRO	179
5 MUDÉJAR ETHNICITY AND CHRISTIAN SOCIETY	213
6 MUSLIMS AND CHRISTIAN SOCIETY MUDEJARISMO AS A SOCIAL SYSTEM	261 323

Part III: Individual and community in the Christian Ebro

INTRODUCTION 327

CASE STUDY I: FISCAL AND CONFESSIONAL IDENTITY: THE GALIPS, TEMPLAR VASSALS IN ZARAGOZA (1179–1390)	329
-----------------------------------------------------------------------------------------------------------	-----

Contents

CASE STUDY 2: <i>FRANQUITAS</i> AND FACTIONALISM IN DAROCA: THE LUÇERA FAMILY VS. THE <i>ALJAMA</i> (1267–1302)	339
CASE STUDY 3: LITIGATION AND COMPETITION WITHIN THE MUSLIM COMMUNITY: THE ABDELLAS OF DAROCA (1280–1310)	347
CASE STUDY 4: ADMINISTRATIVE CORRUPTION AND ROYAL COMPLICITY: ABRAHIM ABENGENTOR, <i>ÇAUALQUEM</i> OF HUESCA (1260–1304)	357
CASE STUDY 5: OVERLAPPING AGENDAS: THE CAREER OF MAHOMET, <i>ALAMINUS</i> OF BORJA (1276–1302)	366
CASE STUDY 6: THE GOOD, THE BAD, AND THE INDIFFERENT: CHRISTIAN OFFICIALS IN THE EBRO REGION	373
PERSONAL HISTORIES: THE INDIVIDUAL, WITHIN THE COMMUNITY AND BEYOND	389

Conclusions

<i>MUDÉJAR</i> ETHNOGENESIS	390
-----------------------------	-----

Appendices

APPENDIX 1: CURRENCY OF THE THIRTEENTH-CENTURY EBRO REGION	409
APPENDIX 2: TOPONYMICAL VARIANTS IN ARCHIVAL DOCUMENTS	410
APPENDIX 3: RULERS OF THE “CROWN OF ARAGON,” 1050–1300	411

<i>Select bibliography</i>	412
<i>Index</i>	439

FIGURES

1: Tax remissions in Petrus de Roda's <i>Cena collecta</i> (1294)	page 148
2: Ritual incompatibility by sphere of activity	398
3: Religious affiliation and individual wealth in the late-thirteenth-century crown	400
4: Jurisdictional ambiguities	403

MAPS

1: The western Mediterranean, c. 1300	<i>page</i> 17
2: Iberia, c. 1080	69
3: Iberia, c. 1300	69
4: Distribution of residual Muslim settlement, c. 1200	117
5: Ebro valley settlements	210
6: Settlements of the Jalón and Upper Ebro valleys	211
7: Settlements on the north bank of the Ebro	211

TABLES

1: Extraordinary tax remissions granted to Muslim communities	<i>page</i> 145
2: Sex offenses by minority men and resolutions in the Ebro valley (thirteenth century)	309

ACKNOWLEDGMENTS

I would like to thank the following individuals and organizations, without which the completion of this book and the dissertation on which it is based would not have been possible. First of all deepest thanks to Núria Silleras Fernández for love, inspiration, patience, and advice. In gratitude for their encouragement and support, I thank Miriam and Richard Barkley, and Wadjih F. al-Hamwī, along with many family and friends who convinced me that this was a worthy endeavor to embark upon and complete.

This book was completed while I held a two-year post-doctoral fellowship from the Social Sciences and Humanities Research Council of Canada. Thomas F. Glick (Boston University) was my director and provided criticism and feedback on this and other projects. Dear thanks are also due to my PhD supervisor Andrew Watson, who patiently endured (and thoroughly criticized) the very rough drafts of my dissertation. My dissertation committee at the University of Toronto, Michael Gervers, Linda Northrup, Richard Hoffmann (York University) and Mark Meyerson, provided indispensable guidance. While researching and writing I had the privilege of working at the Institució Milà i Fontanals (CSIC, Barcelona) under the auspices of Maria Teresa Ferrer i Mallol's *Grup de recerca de la Corona Catalanoaragonesa*. While at there I also enjoyed the good will of Josefina Mutgé, Roser Salicrú, and Manuel Sánchez, as well as the library and administrative staff.

Further feedback and inspiration were provided by Robert I. Burns (UCLA), Elena Lourie (Ben Gurion University), and Jaume Riera y Sans (Arxiu de la Corona d'Aragó). Sharon Kinoshita (UC Santa Cruz) read drafts and made helpful comments at various stages, and David Abulafia (Cambridge University) and Sally McKee (UC Davis) provided encouragement. David E. Luscombe (University of Sheffield) patiently provided advice on the book and reviewed document transcriptions. Miguel Torrens and Richard Raiswell helped with library queries. The staff of the Arxiu de la Corona d'Aragó were welcoming and professional. I am also grateful to Antoni Virgili (Universitat Autònoma de Barcelona),

Acknowledgments

Carlos Laliena (Universidad de Zaragoza), Miquel Barceló (Universitat Autònoma de Barcelona), and Esteban Sarasa Sánchez (Universidad de Zaragoza) for helping me to access certain difficult sources. William Davis of Cambridge University Press deserves gratitude for taking an interest in the doctoral dissertation and guiding it through its transformation. Special thanks also go to J. N. Hillgarth (University of Toronto), under whom I had the great privilege of studying as a graduate student, and who has remained a source of encouragement.

Finally, this project would not have been completed without the support of the following: the University of Toronto, including University College, the School of Graduate Studies; the Centre for Medieval Studies and the Associates of the School of Graduate Studies; the Canada and Ontario Student Loan Programs; the Social Sciences and Humanities Research Council of Canada; the Ontario Government; the Canadian Association of University Teachers; the American Historical Association; the Imperial Order of the Daughters of the Empire; the Ministerio de Asuntos Exteriores de España; the Generalitat de Catalunya; and the Institut d'Estudis Catalans (Barcelona). The Excmo. Ayuntamiento de Alcañiz kindly gave me permission to photograph the castle frescoes for use in this book.

NOTE ON THE CITATION OF SOURCES, DATES, PLACES, AND NAMES

In the course of my archival research I examined systematically and in their entirety the various collections cited in the Bibliography. Where I am aware of an edition of a document which I have consulted in the original, this has been noted; documents cited only by the edited version were consulted only in published form. When I was led to a source by a secondary study I have indicated the work in question. Otherwise, I hope my readers will understand that I am not endeavoring to lay any special claim to the “discovery” of documents which have been used by others.

The languages of the documents used in this study include Arabic, Latin, Old Spanish, Old Catalan, Old Aragonese, and other intermediate and imprecise “Romance” dialects. The Latin itself ranges from elevated registers to severely bastardized orally influenced forms. In extracts from unedited documents I have added only punctuation and capitalization; spellings have been transcribed verbatim. Scribal inconsistencies are not noted, except where they affect clarity (in which case a [*sic*] may be interposed). The consonantal “i” and “u” are favored over “j” and “v,” except in personal and place names which customarily use the latter. Italicized foreign words which appear in the text are presented in their standard Latin, Catalan, or Castilian forms (e.g. *aljama*, *universitas*), unless they are drawn directly from sources, in which case they appear according to their usage in the document in question. Dates of documents have been converted to the modern calendar for consistency (and thus may differ from dates noted in other publications). All translations into English are mine, unless otherwise noted. In these excerpts I have opted to convey the sense of the original rather than following literally the sometimes awkward constructions.

Place names of towns are rendered according to the standard modern forms (e.g. Lleida, Zaragoza), except in cases where the accepted English version varies markedly from the original (e.g. Mecca instead of al-Makka). Names of countries and regions are presented according to current English usage; the term “Crown of Aragon” is preferred over

Note on citation

“Catalano-Aragonese Crown” to refer to the dynastic federation ruled by the descendants of the ruling house of Barcelona. Kings of Aragon before the dynastic union of 1150 are indicated by their Aragonese enumeration with Castilian spelling (e.g. Alfonso I “the Battler”). The successors of Ramon Berenguer IV, the count-kings of Barcelona-Aragón (and many other titles), are enumerated and named according to their modern Catalan form (e.g. Alfons II “the Liberal,” rather than Alfonso III). Occidental honorifics are translated, Arabic ones are not, and popes’ names are given in English. Major figures of the age who appear in the documentation are referred to according to standard modern forms (e.g. “Blasco de Alagón” for “Blascus de Alagone,” and “Roger de Llúria” for “Rogerius de Loria”), while lesser figures bear the names (typically Latin forms) by which they are referred to in the documents (e.g. “Raymundus Martini” rather than “Ramon Martines” or “Ramón Martínez”). This is justified by the fact that the overwhelming majority of the documents are in Latin, and because many individuals straddled the Catalan-Aragonese cultural and linguistic divide. Likewise, names of lesser Muslim and Jewish personages appear according to their form in the Christian documents. In such cases, apart from within excerpts from documents, individuals are named consistently, according to the dominant variant (e.g. a “Muḥammad” may appear as either “Mahomet,” “Mahoma” or “Mafomet”). The words “Muslim” and “Islamic” are used interchangeably as adjectives whereas “Moorish” is avoided as antiquated and misleading.

GLOSSARY

- açuna* (or *assunna*, *zunna* or *sunna*, Lat., Rom; from Ar. *al-sunna*): Muslim or Jewish law as recognized by and practiced under Christian domination in Iberia.
- adelantati* (Lat., sing. *adelantatus*): popular representatives of the *aljama* (normally two or four in number), elected by its members, and with responsibility for taxation and certain minor criminal offenses.
- alaminus* (Lat.; Rom. *alamin* or *alamí*, from Ar. *al-amīn*): *mudéjar* judicial official, sometimes designating the local community leader.
- albaranum* (Lat., pl. *albarana*; from Ar. *al-barā'a*): receipt or contract showing that the royal tax had been paid on the purchase of a slave.
- alcadi* (Lat., Rom. *alchadi*; from Ar. *al-qāḍī*): *mudéjar* Islamic magistrate, possibly designating local community leader.
- alcaydus* (Lat.; Rom. *alcait*; from Ar. *al-qā'id* or *al-qāḍī*): *mudéjar* community leader, and frequently, magistrate.
- alcudia* (Lat.): the jurisdictional and/or geographic competency of an *alcaydus*.
- alfaquinatus* (Lat.): the jurisdictional and/or geographic competency of an *alfaquinus*.
- alfaquinus* (or *alfaqui*, Lat., Rom. *alfachis*; from Ar. *al-faqīh*): *mudéjar* jurist, sometimes designating the community leader.
- alfundicus* (*alfondech* or *fundicum*, Lat.; Rom. *alfondega*, *alfondica*; from Ar. *al-funduq*): (1) a merchants' inn, storehouse and market; a caravanserai; (2) a Christian trade and diplomatic embassy in Islamic territory.
- alguazir* (Lat., Rom., from Ar. *wazīr*): (1) in some locales, a *mudéjar* official; (2) (Cast. *alguacil*) a lower-level judicial officer.
- aljama* (Lat., Rom.; from Ar. *al-jamī'*): a Muslim or Jewish community in Christian Iberia.

Glossary

- amān* (Ar.): a treaty extended by Muslim military commanders to enemies who surrender.
- 'amma* (Ar.): in Islamic society, the mass of the population as distinguished from the aristocracy, or *khaṣṣa*.
- azemila* (Lat.; from Ar. *al-zāmila*): a head tax on mules in the Crown of Aragon.
- azofra* (or *sofra minuta*, Lat., Rom.; from Ar. *al-ṣufra*): in the Crown of Aragon, an obligation for subjects of a feudal lord to perform labor services, such as wood and water transport.
- baiulus* (Lat.; Cat. *batlle*): a royal or seigniorial rent collector, with jurisdiction over a single municipality and its dependent villages.
- baiulus sarracenorum* (Lat.): a royal or seigniorial official with jurisdiction over an *aljama*.
- baptizatus* (Lat.): a convert to Christianity.
- capeleuator* (Lat.): one who posts bail for another.
- carta-puebla* (Cast.): a charter issued by a king or other feudal authority determining the terms of settlement of a village and the reciprocal obligations of the lord and inhabitants.
- cartelegium* (Lat.): a tax or toll on the transport of goods.
- caualcata* (Lat.): an obligation for royal subjects to render military service.
- çauaquem* (or *çauaquenus*, Lat.; from Ar. *ṣāhib al-ḥukm?*): *mudéjar* judicial official and *aljama* administrator; a term used primarily in Catalonia.
- çauaquenia* (Lat.): the jurisdictional and/or geographic competency of a *çauaquem*.
- cavalleria* (Lat.): the fiscal unit representing the cost of supporting one cavalryman.
- cena* (Lat.): the hospitality which communities were required to extend to the king; gradually converted into a regular tax and extended to figures of lesser rank.
- chirograph: a medieval contractual document which was drawn up in duplicate on a single parchment, often with a series of letters (e.g. "ABC") separating the texts. On execution the document would be cut with a knife, leaving each party with one of the interlocking copies.
- concilium* (Lat.): town council, administering the whole town or the Christian community therein.
- converso* (Rom.): a convert to Christianity.

Glossary

- corts* (Cat.; Cast. *cortes*): the parliament in the Crown of Aragon; convened periodically, either kingdom by kingdom or all together.
- corvée* (Fr.): the obligatory labor, such as road repair, which tenants were required to perform for their feudal lord.
- dār al-Islām* (Ar.): the “abode of Islam”; that portion of the world under the political control of Islamic regimes.
- decimas* (Lat.): the annual tax of ten per cent levied on produce by the Church.
- dhimma* (Ar.): the “pact of protection” extended to non-Muslim subject populations by Islamic regimes.
- don* (Cast.; from Lat. *dominus*): a term indicating respect, similar to “Mister.”
- elongamentum* (Lat.): a loan extension.
- exaricus* (Lat.; Rom. *exaric*; from Ar. *al-shārik*): a sharecropper.
- exercitus* (Lat.): an obligation for royal subjects to render military service, eventually converted into a regular tax.
- faqīh* (Ar.): a specialist in Islamic law.
- fatwā* (Ar.): a legal/theological *responsum* or opinion regarding a hypothetical or actual scenario, dictated by an Islamic jurist.
- fideiussor* (Lat.): a guarantor.
- fitna* (Ar.): “struggle,” usually denoting civil war or war between Islamic regimes.
- franquitas* (Lat.): an exemption from the obligation to pay standard royal taxes.
- fuero* (Cast.; Cat. *fur*; Lat. *forum*): a law or legal code.
- funduq* (Ar.): see *alfondicus*.
- ghazw* (Ar.; Rom. *razzia*): a raid.
- guidaticum* (Lat.): a letter of protection or safe transit issued by the king.
- hājib* (Ar.): “chamberlain”; the title favored by the *taiifa* kings.
- ḥisba* (Ar.): public morality, including sexual behavior and commercial law.
- ḥisn/qarya* (Ar.): a settlement structure of villages and a strong-point or fortress, characteristic of northern and eastern al-Andalus.
- homicidium* (Lat.): the fine for the charge of murder.
- homines* (Lat., sing. *homo*): literally, “men,” used to refer to the inhabitants, frequently the Christian inhabitants, of a locale.
- honor* (Lat., Rom.): an administrative/fiscal grant given in exchange for military service.

Glossary

- hubūs* (Ar.): a pious endowment typically in service of charity.
huerta (Cast.): a market-garden.
- imām* (Ar.): an Islamic prayer-leader.
infante (Cast.; Cat. *infant*): a prince; a child, uncle or brother of the king.
infanzon (Cast., Lat.; Cat. *cavaller*; Rom. *ynfançon*): a member of the broad Aragonese nobility, a group which enjoyed special legal and fiscal status.
- jenetus* (Lat.; Rom. *jenet*; Cat. *genet*; from Ar. Banū Zanāta): Muslim mercenary; light cavalryman.
jihād (Ar.): moral struggle; “Holy War.”
jjizya (Ar.): the poll-tax paid by non-Muslim subjects to Islamic rulers in lieu of military service.
judería (Cast.; Cat. *call*): Jewish neighborhood or ghetto, often contiguous with but not equivalent to *aljama*; cf. *morería*.
judex (Lat.): a judge.
juratus (Lat.): a juror, a sworn member of a council or tribunal.
jurisperitus (Lat.): a jurist, a legal expert.
justicia (Lat.): judge appointed by royal order from among the *infanzones* of a town, over whom he had jurisdiction.
justicia de Aragón (Cast.): originally the chief magistrate of Zaragoza; after the *Privilegium generale* (1287), became protector of the Aragonese nobility’s rights vis-à-vis the king.
- khaṣṣa* (Ar.): the aristocracy in Islamic society; a loosely defined class to be distinguished from the ‘amma.
kharja (Ar.): a rhyming couplet, typically in the vernacular, which closes a poem.
kunya (Ar.): an agnomen or surname.
- lezda* (Lat., Rom.; Cat. *leuda*): a tax on the transport of goods.
- madhhab* (Ar.): a school of interpretation of Islamic law; medieval Sunni Islam recognized four such schools as legitimate.
masjid al-jāmi‘(Ar.): congregational mosque, used for Friday prayers; also commonly site where Islamic justice is dispensed, where the community treasury is kept.
merinus (Lat.): a royal or seigniorial official who enforced judicial sentences.
merum et mixtum imperium (Lat.): civil and criminal jurisdiction.
monetaticus (Lat.; Cat. *monetatge*): an extraordinary royal tax levied on the occasion of minting coinage.

Glossary

- morería* (Cast.): Muslim neighborhood or ghetto, often contiguous with but not equivalent to *aljama*; cf. *judería*.
- mostassaf* (Lat., Rom.; from Ar. *muḥtasib*): a market official in the Crown of Aragon.
- muḥtasib* (Ar.): Islamic public morality officer and/or market inspector; see *ḥisba*.
- mudéjarismo* (Cast.): the modern study of *mudéjares*.
- muftī* (Ar.): Islamic scholar and legislator.
- muwallad* (Ar.): a convert to Islam in the post-Conquest period.
- nisba* (Ar.): an element in traditional Arabic personal name which refers to place of origin, profession, etc.
- parias* (Lat., Rom.): tribute paid by *taifa* rulers to neighboring Christian princes.
- peyta* (Lat., Rom.): a tax assessed on movable and immovable property.
- portaticum* (Lat.; Cat. *portatge*; Rom. *portazgo*) a tax on the transport of goods.
- porterius* (Lat.): literally, “gate-keeper”; an agent of the king.
- primicias* (Lat.): “first fruits” tax levied by the Church.
- procurator* (Lat.; Rom. *procurador*): an agent or representative.
- qā'id* (Ar.): local military commander in al-Andalus.
- qāḍī* (Ar.): Islamic magistrate.
- qaṣba* (Ar.): settlement type characteristic of the Atlas mountains and the western Sahara.
- quinta* (Lat.): “the fifth,” a tax levied on war booty.
- raval* (Rom.; from Ar. *al-rabaḍ*): an extra-mural suburb, often denoting the neighborhood where Muslims were required to relocate after conquest.
- realenchus* (Lat.; Rom. *realengo*): adjective describing property held directly from the king.
- redemptio exercitus* (Lat.): a monetary payment made in lieu of *exercitus* service.
- religiosus* (Lat.): a member of the clergy.
- ribāṭ* (Ar.): an Islamic “fortress-monastery,” typically located in frontier zones, where Muslims could temporarily lead an ascetic life and fulfill duty of *jihād*.
- sabasala* (Lat., Rom.; from Ar. *ṣāhib al-ṣalāh*): a *mudéjar* official.
- sabasalania* (Lat.): the jurisdictional and/or geographic competency of a *sabasala*.

Glossary

ṣadaqa (Ar.): Islamic alms tax.

sayon (Rom., Lat. *sagio*): a “sargeant-at-arms,” at the service of the municipal judiciary, who sometimes served as executioner.

scribania (Lat., Rom.): the office and competencies of the scribe.

scriptor (Lat.): an officially appointed scribe.

sharīʿa (Ar.): Islamic law.

shirka (Ar.): one of a number of sharecropping arrangements permissible under Islamic law.

subbaiulus (Lat.): a subordinate or deputy of the local *baiulus*.

sultān (Ar.): in Islam, secular political authority.

sunna (Ar.): the “tradition” which forms one of the basis of Islamic belief and law.

superiunctarius (Lat.): a regional magistrate, a sub-official of the *justicia de Aragón*.

taifa (Cast.; from Ar. *mulūk al-ṭawāʿif*): any one of the small principalities which came into being with the disintegration of the Caliphate of Córdoba.

thaghr (Ar., pl. *thughūr*): a frontier zone, typically between the Islamic and non-Islamic worlds.

tributus (Lat.): a tax.

ʿulamāʾ (Ar., sing. *ʿālim*): learned or erudite Muslims.

universitas (Lat.): the community of inhabitants of a given place.

Frequently referred to Christians only.

ʿushr (Ar.): an Islamic 10 per cent income tax.

vicarius (Lat.; Cat. *veguer*): a judge with civil and criminal jurisdiction appointed on comital (later royal) authority over one of eighteen *vegueries* in Catalonia.

waqf (Ar.): see *hubūs*.

wazīr (Ar.): prime minister, vizier.

zalmedina (Lat., from Ar. *ṣāhib al-madina*): a municipal official in Christian administration, whose competencies resembled those of the *muḥtasib*.

ABBREVIATIONS

ACA	Arxiu de la Corona d'Aragó
ACB	Arxiu de la Catedral de Barcelona
ACTo	Arxiu Capitular de Tortosa
ACTu	Archivo Capitular de Tudela
AHN	Archivo Histórico Nacional
AHPZ	Archivo Histórico Provincial de Zaragoza
AHTo	Arxiu Històric de Tortosa
Ar.	Arabic
BMA	María Blanca Basáñez Villaluenga, <i>Las morerías aragonesas durante el reinado de Jaime II</i> (Teruel: Instituto de Estudios Turolenses, 1999)
C.	Cancillería/Cancelleria Reial
ca.	caja/capsa
CAI	<i>Chronica Adefonsi imperatoris</i>
carp.	carpeta
Cast.	Castilian
Cat.	Catalan
CFCP	T. Muñoz y Romero, <i>Colección de fueros municipales y cartas pueblas de las [sic] reinos de Castilla. León. Corona de Aragón y Navarra</i> (Valladolid: Lex Nova, 1977 [1847])
CISPV	Cartulario de San Pedro el Viejo
Cod.	Códice/Còdex
CODOIN	P. de Bofarull y Mascaró, <i>Colección de documentos inéditos de la Corona de Aragón</i> (Barcelona: José Eusebio Montfort, 1847–1910)
COR	<i>Crónica de once reyes</i>
CR	Cartes Reials/Cartas Reales
CRD	Cartes Reials Diplomàtiques
CSIC	Consejo Superior de Investigaciones Científicas
EP ^P	<i>Encyclopaedia of Islam</i> (new edition)
ET ^{CD}	<i>Encyclopaedia of Islam</i> (CD-ROM)
f.	folio: (r)ecto and (v)erso

Abbreviations

<i>Fori</i>	<i>Fori Aragonum</i> (Lichtenstein: Topos Verlag, 1979)
<i>Fuero</i>	Gunnar, Tilander ed., <i>Los fueros de Aragón</i> (Lund: C. W. K. Gleerup, 1937)
GP	Gran Priorat
Lat.	Latin
<i>leg.</i>	<i>legajo</i>
mod.	modern
no.	number
OM	Órdenes Militares/Ordres Militars
<i>PCG</i>	<i>Primera crónica general</i>
pergs	pergaminos/pergamíns
RAH	Real Academia de la Historia
reg.	registro/registre
Rom.	Romance
sec.	section
sing.	singular
pl.	plural
UZ	Universidad de Zaragoza
<i>Vidal</i>	Gunnar Tilander, ed. <i>Vidal mayor</i> (Lund: Håkan Ohlssons Boktryckeri, 1956)

INTRODUCTION

La tolerancia, la ocasional simbiosis de las creencias, cuadra bien con haber iniciado su vida el hispano-cristiano a caballo sobre su creencia, el caballo de Santiago.

Américo Castro¹

¿Tolerancia hispano-cristiana medieval? Sí; pero tolerancia de las minorías, no del pueblo, sacudido por la pasión y enervado por la guerra divina.

Claudio Sánchez Albornoz²

In 711, when Ṭāriq ibn Ziyād led his modest contingent of Berber and Arab forces across the Straits of Gibraltar, he could hardly have imagined that within a few years almost the whole of the Iberian peninsula would be drawn into the *dār al-Islām* (“the Islamic world”). Within the following two centuries al-Andalus – Islamic Iberia – was to become the western pole of the Muslim world, not only geographically, but also commercially and culturally. Rising from *de facto* to formal independence in 929 under ‘Abd al-Raḥmān III (912–961), its capital, Córdoba, was among the most important urban centers west of the Indus, rivaled only by Cairo, Constantinople, and Baghdad. So it was to remain until 1031 when a series of civil wars and revolts concluded, heralding not only the Caliphate’s demise but the beginning of the end of Islamic domination of the peninsula. Almost immediately the *mulūk al-tawā’if* (or “*Taifa* Kingdoms”), a constellation of “sectarian” principalities dominated by local and Berber factions, sprang up to fill the power vacuum, vying with each other for a greater share of Andalusi territory. This period of Islamic political disunity coincided with an era in which the peninsula’s Christian

¹ “Tolerance, the accidental symbiosis of beliefs, fits well with the fact that the Hispano-Christian began his life mounted astride his beliefs, Santiago’s horse . . .”: A. Castro, *España en su historia* (Barcelona: Crítica, 1983 [1948]), p. 565.

² “Medieval Hispano-Christian tolerance? Yes; but tolerance on the part of the minorities, not of the [Hispano-Christian] people, [who were] driven by passion and inflamed by holy war”: C. Sánchez Albornoz, *España: un enigma histórico*, 2 vols. (Buenos Aires: Editorial Sudamericana, 1956), 1, p. 299.

The Victors and the Vanquished

powers, clinging tenuously to the mountainous fringes, entered a period of greater unity and determination and began expanding into Muslim territory.

This Christian “Reconquest” soon picked up pace, leading in 1085 to the surrender of Toledo, the first major Andalusi city to fall into Christian hands.³ Compelled by their own inefficacy, the *taifa* rulers grudgingly called for aid to their Islamic neighbors to the south, the Almoravids. Help came in greater measure than either anticipated or desired, and the advent of these Berbers signaled the demise of the *taifas* and the beginning of a long century of Maghribi hegemony. Whether domination came at the hands of Iberian Christians or foreign Muslims, the independent history of al-Andalus had come to end. By the late thirteenth century the Almoravids’ successors, the Almohads, had been driven out of Iberia, and independent Islamic Spain⁴ had been reduced to the rump Kingdom of Granada, which lived out most of its history as a vassal state of Christian Castile. In 1492 the kingdom was deprived of even the illusion of autonomy when the “Catholic Monarchs,” Fernando of Aragon and Isabel of Castile, accepted its submission. Finally, in 1496, the last king, Abū ‘Abd Allāh (“Boabdil” in Castilian), discontented with the small fief which his Spanish lords had left him, pulled up stakes and headed for Islamic shores.

The history of Islamic Spain (Al-Andalus) is not synonymous with the history of the Muslims in Spain, and the inhabitants of Iberia did not become an Islamic people with their conquest in the early eighth century. Rather, in the centuries that followed, as Christians emigrated, Muslims immigrated and, as the great majority of the native population (nominally Catholic with a sprinkling of Arians, pagans, and Jews) converted and adopted the outward manifestations of Arabic culture, the Visigothic Iberian society was gradually transformed into an Islamic one. Likewise, the later Christian conquest did not mark the immediate demise of Muslim society. Almost universally the conquering rulers endeavored to persuade Muslim inhabitants to stay on as subjects, tempting them with offers of self-administration and social and judicial autonomy. Many – in all likelihood the majority – accepted, and these people and their descendants became known as *mudéjares*.⁵ Living on in their ancestral

³ Coimbra (Ar. Qulumriya), an important town of the Western March, had fallen in 1065, while Barbastro had been taken temporarily in 1064.

⁴ In this work “Spain” is used in a geographical sense as a synonym of Iberia; no modern political connotation is intended or should be imagined.

⁵ The word *mudéjar* refers to Muslims in Iberia who lived under Christian rule. Apparently derived from the Arabic *mudajjān* (“those who stayed”), the word is not attested before the late sixteenth century. See J. Corominas, *Diccionario crítico-etimológico castellano e hispánico* (Madrid: Gredos, 1981), s.v. *mudéjar*.

Introduction

lands for centuries, most were eventually forced to convert to Christianity, after which they were designated as *moriscos*.⁶ Maintaining their identity, they continued to live as a people apart until as late as 1613, when the last stragglers from the mass exile first proclaimed in 1610 were expelled from the realms of Aragon.⁷

The present study focuses on Muslims of Catalonia and Aragon living in the lands of the Ebro River watershed, a topographically varied expanse of more than 40,000 square kilometers (a little smaller than modern Denmark).⁸ Here, as the rivers and streams empty out of the high Pyrenean valleys, their beds open abruptly on to a broad arid plain, which in summer months recalls Africa more than Europe – the slow Ebro playing the part of the Nile. The lands to the south of the river present a similar landscape, as the watercourse descends a series of broad plains marked by rugged *sierras*, occasionally opening into hollow *cuenclas* ideal for cultivation and defense. Further south, past Teruel, the river-scarred hills undulate towards what was to become the Kingdom of Valencia.⁹ As the Ebro meanders towards Tortosa the land comes into higher relief, rising into uplands once rich in woodland resources, before emptying into the sea through its silty, ever-growing delta. The river course itself is remarkably level, descending little more than 500 meters along almost its entire length; from Tudela to Mequinenza, a stretch of some 250 kilometers, it descends only 200 meters.¹⁰ Navigable from Tortosa to the Mediterranean, it is the only major Iberian river which flows eastwards. This made it an ideal conduit for goods and ideas, connecting the north of the peninsula to the world beyond. The climate, typically Mediterranean, is dry and hot, well suited to dry farming, olive and viticulture, as well as highly productive irrigated farming on the alluvial plains. The range in altitude and attendant climatic variety also make transhumant husbandry viable.

⁶ *Morisco* derives from the Latin *maurus* (“Maghribian”). See J. Zurita, *Anales de la Corona de Aragón*, 9 vols. (Zaragoza: Institución “Fernando el Católico,” 1967–1970 [1562]), 1, p. 6. The use of the word “Moorish” is misleading when used with reference to the peoples of the Western Maghrib or to the Muslims of al-Andalus, who are more accurately referred to as Andalusis.

⁷ The Muslims of Castile and Andalusia were ordered to convert or depart in 1502; the “Moriscos” were expelled in 1609.

⁸ The section of the Ebro upriver from Tudela falls out of the logical bounds of this study, and is not considered.

⁹ The major towns (along with their hinterlands) included in this study are: Alcañiz, Barbastro, Calatayud, Daroca, Huesca, Jaca, Lleida, Tarazona, Tarragona, Teruel, Tortosa, and Zaragoza. Tudela is considered in the period immediately after its conquest, before it became part of the Kingdom of Navarre.

¹⁰ N. Dupré, “La Vallée de l’Ebre dans l’Espagne romaine,” *Mélanges de la Casa de Velázquez* 9 (1973): 135.

The Victors and the Vanquished

The geographic unity of this territory has contributed to a historical coherence which justifies its consideration as a socio-geographic unit. In Roman times the zone comprised the heart of the Province (later, Archdiocese) of Tarraco, a region which was referred to through the fourteenth century as “Celtiberia.”¹¹ When Muslim administration filled Visigothic vacuum, these territories, corresponding roughly with Arabic geographers’ sixth “climate” (*iqḷīm*) of “Hispania” (*al-Asbāniyya*) and with the Mozarabic metropolitan of Tarakūna, came to be known broadly as the *Thaḡhr al-Aqṣāʾ*, the “Furthest March.”¹² Whether ruled as a region or fragmented into smaller “city-states” or personal domains, the region maintained a coherence evidenced by its periodic reconsolidation. Most important from the point of view of the present study, however, is that these lands comprise the heart of what became the Crown of Aragon, the dynastic aggregate of Christian principalities which dominated the area for the five centuries after its conquest: territories conquered roughly between 1085 and 1160, the first great period of Catalan and Aragonese expansion.¹³ The common era of conquest justifies their treatment as a unity, since they were absorbed under quite similar circumstances by Christian powers with similar institutional and social configurations. The period treated by this study covers the middle of the nine-hundred-year Muslim presence in this area; it marks a transformational as well as a temporal mid-point, being the era in which the majority of the area’s Muslim population became Christian subjects.

My intention here is to examine the effects of the Christian conquest on the indigenous Islamic population, which was defined at once by its military subjugation, its status as “infidel” and enemy, and its value as a base of settlement, taxation, trade, and industry. I am interested in exploring the nature of *mudéjar* society as it existed in the thirteenth century as an ethnic, cultural, and economic phenomenon. How did Islamic society react to the process of conquest? Did it remain stable and “healthy”? That

¹¹ According to the *Crónica de once reyes* Celtiberia stretched from the Bay of Biscay to the Mediterranean, from the Ebro to the Montes Universales (near Albarracín). (*COR*, pp. 229–30). For Zurita, the region included the whole of the Jalón and the Jiloca: Zurita, *Anales de la Corona de Aragón*, I, p. 147, doc. 45; cf. *PMG*, I, p. 318, chap. 563.

¹² See F. J. Simonet, *Historia de los mozárabes de España*, 4 vols. (Madrid: Turner, 1983 [1897]), IV, pp. 808–810, docs. 5.1, 5.2, 5.3. Qalqashandī placed Zaragoza in the fifth climate; al-Qalqashandī, *Ṣubḥ al-aʿyā fikitābāt al-miṣr*, Valencia: Anubar, 1975, p. 43. The area of Lleida and Tortosa was also known as the *Thaḡhr al-Aʿlā*, “the Upper March.”

¹³ The Crown of Aragon, sometimes referred to as the “Catalano-aragonese Crown,” was an imprecise dynastic aggregate whose core territories included the Kingdoms of Aragon and Valencia and the Counties of Catalonia, but included variously Roussillon, the Balearics, Montpellier, parts of Provence, Sardinia, Sicily and parts of Italy, other Mediterranean islands and parts of modern Greece and Tunisia.

Introduction

is to say, had it successfully adapted to the conditions of the conquest, or was it locked into a process of irretrievable and “inevitable” decline? What relationship did it have with its pre-conquest antecedents? I would like to determine also the degree to which *mudéjares* as individuals were discriminated against under Christian rule – and to consider to what extent they might have *felt* marginalized. Did opportunities for social and economic advancement cease to exist with the Christian conquest, or did the new set of circumstances merely mean that dynamic *mudéjares* were forced to adapt? Did *mudéjares* live as marginalized “foreigners,” or as integrated subjects? The strategies which *mudéjar* individuals and groups used to survive and prosper under Christian domination is key to understanding these issues, as are the links which individuals and groups had with adherents of the other two faiths which also existed in the Crown. This was the period in which *mudéjar* society was born and matured, and a closer analysis of this period is indispensable for understanding its later history.

A study as broad as the present one must draw on a range of historiographic traditions. The general history of the Crown of Aragon and of Spain, more specific area and local studies, the history of Islamic Spain and North Africa, and the tradition of minority and *mudéjar* studies in Iberia and the Crown all converge in the study of the Muslims of the Ebro Valley. Neither Zurita (sixteenth century), the forbear of all historians of the Crown, nor his successors focused on the Muslims directly in formulating their histories of Catalonia, Aragon, and Valencia, although the Muslims’ protagonism, first as enemies and later as subject people, could not be all together ignored.¹⁴ It was in the late nineteenth and early twentieth centuries that historians began to take an active interest in al-Andalus and in the minorities of medieval Iberia. Pioneers of the study of Islamic religion and society in the West and of the subject peoples of Christian Spain include de las Cagigas, Dozy, Simonet, Ribera, and Lévi-Provençal, each of whom made contributions to the historiography of the Ebro region through their studies of the whole peninsula.¹⁵ In their era a tradition of editing Latin and Romance documents also blossomed in the former Crown under archivists such as de Bofarull, and was carried on into the twentieth century by the likes of Ramos y Loscertales, Font i Rius, Lacarra, Canellas, and Ubieta Arteta. A parallel

¹⁴ One exception is the anonymous sixteenth-century “*Orígenes de la Casa de Granada*,” based on Zurita and the *Primera Crónica General* (RAH, Salazar 9/195).

¹⁵ See the Bibliography for relevant works by the authors in this section.

The Victors and the Vanquished

undertaking with Arabic and Hebrew texts also got under way under Dozy, Lévi-Provençal, and, later, Millás, Vernet, Bosch Vilá, and Huici Miranda: literary historians who were drawn primarily to intellectual, scientific, and cultural history.

In the early decades of the twentieth century Spain's terrible struggle to define itself as a modern nation was complemented by a polarisation of peninsular historiography, in particular regarding the role of minorities. The dominant intellectual camps were championed by two literary historians, each of whom ended his career in exile from Franco's regime. Américo Castro saw Spanish history as process of synthesis in which Christianity, Islam, and Judaism interacted in a relationship of *convivencia*, while Claudio Sánchez Albornoz perceived the driving force to be the "Eternal Spaniard," a historical presence discernible from Roman to modern times and realized through a series of confrontations with foreign invaders.¹⁶ Overburdened by ideological biases and undermined by methodological inadequacies, their works were more a gauge of the trends of modern Spanish cultural self-expression than medieval historical realities. In both cases the process of inter-religious interaction tended to be viewed as the meeting of monumental systems – Christianity, Islam, and Judaism – personified as characters in a grand historical drama.¹⁷

The intellectual log-jam which resulted from that polemic broke up in the 1970s, coinciding with the publication of two monumental English-language syntheses of medieval Iberian history, in one of which O'Callaghan focused on Castile as protagonist, while in the other Hillgarth emphasized the politico-cultural diversity of the peninsula. A decade later Bisson published his overview of the history of the medieval Crown of Aragon, while the study of Islamic Spain benefited from the French historians associated with the Casa de Velázquez in Madrid, notably Urvoy, Cressier, and Lagardère. In the late 1980s and 1990s Spaniards such as Marín and Fierro took inspiration from Bulliet's techniques and began to use Arabic biographical dictionaries as a source for Andalusí social history, while Afif and Viguera elaborated the basic history of the caliphal and taifa periods in the Ebro, building on the work of Bosch Vilá and Lacarra. The sociological spirit of the Casa de Velázquez, so evident in Guichard's work on Valencia, was complemented by an interest in archeology, taken up also by Miquel Barceló in Barcelona,

¹⁶ For a recent appraisal of Sánchez Albornoz see R. Pastor de Togneri, "Claudio Sánchez Albornoz y sus claves de la historia medieval de España," *Revista de Historia Jerónima Zurita* 73 (1998): 117–131.

¹⁷ See T. F. Glick and O. Pi Sunyer, "Acculturation as an Explanatory Concept in Spanish History," *Comparative Studies in Society and History* 2 (1969): 136–154; J. N. Hillgarth, "Spanish Historiography and Iberian Reality," *History and Theory* 24 (1985): 23–43.

Introduction

who has concentrated on irrigation and agricultural systems. In North America anthropological and technological perspectives are most evident in the work of Glick, whose studies of acculturation and technological diffusion bridge al-Andalus and Christian Spain.

As a sub-discipline, *mudéjar* studies can be traced back to Burns's seminal works of the late 1960s, inspired by an American fascination with "frontier society," translated to the Kingdom of Valencia. This perspective contrasted with Guichard's, a disjunction which was to characterize the controversies between the "Continuists" and their opponents in the decades to follow. Close on Burns's heels, Lourie began to produce a series of articles among which figure important works on *mudéjares* and Jews in the Catalano-Aragonese lands of the thirteenth and fourteenth centuries. The religious minorities also attracted the interest of Riera y Sans, who has unearthed a number of spectacular documents. A major study by Boswell, who examined the Muslims of the mid-fourteenth-century Crown, was produced in the 1980s, a decade which coincided with a blossoming of interest in *mudéjares* among Catalan and Aragonese historians.¹⁸ Following the path of Ledesma, Ferrer i Mallol began to work extensively on *mudéjares* in Catalonia and Valencia. More Catalan historians followed, producing a series of local studies by Mutgé, Basáñez and others. In Aragon itself, an emphasis on administrative and economic history led researchers there to approach the *mudéjares* primarily by way of broader analyses of the whole kingdom, a trend reflected in the work of Sarasa and Laliena. Concurrently, the Jewish communities of Catalonia and Aragon became the subject of intensive study by Romano, Blasco and Assis.

In North America, interest in *mudéjares* and minorities grew steadily in the 1990s, reflected in the work of Burns's disciples and in Meyerson's study of the Muslims of late medieval Valencia. Most recently Nirenberg's work on early fourteenth-century communal violence has been among the first to resist the tendency to present Islamic society strictly in terms of an "Other," a perspective which has dominated *mudéjar* studies as a consequence not only of the nature of Christian documentation but also of the prismatic effect of the "Orientalist" attitudes of Western scholarship. New works by emerging historians, such as Hames, Miller, Klein, and Blumenthal, continue to explore promising new methodological perspectives regarding minorities in the Crown of

¹⁸ Thaler's (unpublished) dissertation represents an attempt to write a history of the Aragonese *mudéjares*, but is burdened by serious problems and inconsistencies, and is most certainly obsolete from a methodological perspective: D. F. Thaler, "The Mudejars of Aragón during the Twelfth and Thirteenth Centuries," Ph.D. dissertation, Yale University, 1973.

The Victors and the Vanquished

Aragon.¹⁹ Nevertheless, Aragonese and Catalan *mudéjares* of the twelfth and thirteenth centuries remain an under-analyzed and misunderstood social group. My own efforts, as represented here, belong firmly to the socio-anthropological tradition, and it is my aim to take the comparative and interdisciplinary approach further in an attempt to shake off (as much as my own subjectivity permits) the shackles of Orientalism, to de-reify the Islamic society of the Crown and to analyze it as one mode of social identity within the complex whole of medieval Catalano-Aragonese society.

The sources upon which this study is based are primarily archival, apart from the earliest period. Whatever Islamic archives may have existed have not survived, and sources for the shape of the Muslim society of northern Spain in this era are limited for the most part to the Islamic histories of al-Andalus (which emphasize Córdoba) and works of geography. Relevant Christian documents for this period are rare. With the conquest, however, the documentary picture brightens: the twelfth century yields parchments and letters of the Kings of Aragon and the Counts of Barcelona as well as copious records of ecclesiastical foundations, particularly monasteries and Military Orders. Numerous though these documents are, they are largely limited to records of property transfers. The quantity and range of documentation increases spectacularly from the mid-thirteenth century when, under Jaume I (1213–1276), the Royal Chancery of the Crown was reorganized, and detailed records of outgoing correspondence were kept. This collection, housed at the Arxiu de la Corona d'Aragó, together with parchments, royal letters, court proceedings, and financial accounts, is almost without parallel in richness and variety for the study of medieval Europe; many decades will pass before historians have “exhausted” it in any sense. Spain’s municipal, ecclesiastical, national, and royal archives also continue to yield “new” treasures, and in any event familiar sources are in need of constant reappraisal and reinterpretation as new historiographical perspectives and methodologies develop.

But royal chancery documents and land transfer charters are not the only records at our disposal. The Christian expansion acted as a catalyst for Christian legal development: the administration of new lands entailed the articulation of new laws. Thus, the local *cartas-pueblas* (population charters) and *fueros* (Lat. *fora*, Cat. *furs*, “laws”) which appear at this time

¹⁹ Reviews of recent trends in *mudéjar* historiography include: D. Nirenberg, “The Current State of Mudejar Studies,” *Journal of Medieval History* 24 (1998): 381–389, and R. I. Burns, “Mudéjar Parallel Societies: Anglophone Historiography and Spanish Context, 1975–2000,” in *Christians, Muslims and Jews in Medieval and Early Modern Spain*, ed. M. D. Meyerson and E. D. English (Notre Dame: University of Notre Dame Press, 2000): 91–124.

Introduction

constitute a valuable source for the history of *mudéjares*, particularly the handful of Muslim surrender agreements which survive. Finally, Christian literary sources – official and unofficial chronicles and memoirs – furnish anecdotal evidence which adds color to the canvas of the period. Apart from these various written records, archeological remains and material culture, representative arts, and toponymy (addressed here through secondary studies) are also valuable sources.²⁰

The bulk of the research on which this study is based was undertaken in 1996–1997, primarily in Barcelona at the Arxiu de la Corona d’Aragó; the Archivo Histórico Nacional in Madrid was valuable primarily for the 1100s as well as the Military Orders and ecclesiastical organizations in later centuries. Smaller local archives and cathedral collections helped to fill in gaps, and the numerous published documentary collections were also extremely useful. Initial investigations yielded my doctoral dissertation, “The Victors and the Vanquished: Christians and Muslims of the Ebro Valley, ss. XI–XIII,” (Toronto: 2000), which is the foundation of this book; over the last two years I have revised the text and carried out supplementary research.²¹

The studies of the *aljamas* of the Ebro region and the work of Boswell and Ferrer provide us with the basics of *mudéjar* administrative organization (at least in the towns), but the approach generally taken by both local and broad studies has tended to treat the Muslims of Christian Aragon and Catalonia in isolation, a perspective which runs the risk of failing to situate their collectives within the larger context of the Crown and of treating the community as if it were in stasis, unaffected by the currents of the larger society around it. Readers may yield to a essentialist temptation to idealize Islamic society and imagine that each *mudéjar* community reflected such a form. The tendency to study *mudéjares* in isolation has been aggravated by an apparent reluctance of historians to draw comparisons from other minority situations, both medieval and modern.²² Indeed, the very designation “*mudéjar* studies” suggests the

²⁰ Few notarial records appear until the fourteenth century, and none which offers material for the present study.

²¹ Blanca Basáñez’s *regesta*, *Las morerías aragonesas durante el reinado de Jaime II. Catálogo de la documentación de la Cancillería Real. I (1291–1310)* (Teruel: Instituto de Estudios Turolenses, 1999), published after my own research had concluded, helped extend this study into the first decade of the fourteenth century.

²² Lourie and Nirenberg are both aware of the importance of examining the *mudéjar* situation within a larger context (see E. Lourie, “Anatomy of Ambivalence. Muslims under the Crown of Aragon in the Late Thirteenth Century,” in *Crusade and Colonisation: Muslims, Christians and Jews in Medieval Aragon*, Aldershot: Variorum Reprints, 1990, Essay VII, pp. 75–76), but such a comparative methodology is not advocated by all historians of *mudéjares* (see J. Boswell, *The Royal Treasure. Muslim Communities under the Crown of Aragon in the Fourteenth Century*, New Haven: Yale University Press, 1977, p. 324).

The Victors and the Vanquished

adoption of a dangerously blinkered perspective. Although one may set out to study this society and the individuals who comprised it on the basis of their religious affiliation, it would be imprudent to assume that that is how they saw *themselves* in any given situation. In the medieval Crown of Aragon religious identity may have been the single most important defining characteristic, but it was not the only one. If we are to understand the workings of medieval society we must endeavor to look beyond the strict bounds of religious affiliation; we must avoid letting the parameters which we have chosen to characterize this people restrict the range of data we examine or determine the conclusions that we draw from it.

It is the aim of the present work not only to study *mudéjar* society and Christian–Muslim interaction in the period in question, but also to contribute to a methodology which broadens the context of *mudéjar* studies, calling into question some truisms and exploring new avenues of comparison and analogy. All of this I hope will not only lead to a more sophisticated and accurate picture of twelfth and thirteenth-century *mudéjar* life, but also contribute to the general study of minority–majority interaction. The field of ethno-religious social and institutional history in Iberia continues to evolve, with advances in archeology, the discovery and utilization of new sources (*fatwā* and Muslim sermon literature, for example) and the application of non-traditional methodologies and perspectives (economic models such as “game theory” and paradigms of biological evolution).²³ It is my own ambition – and the reader will be left to decide whether I have achieved it – that the present work contribute to our understanding of *mudéjares* not only in a descriptive sense but also on a conceptual level, to push a little farther down the trails scouted out by pioneers like John Boswell.²⁴

The approach taken here is three-pronged, and a distinct methodology is adopted in each section of this book. The first part, “Muslim Domination of the Ebro and its Demise (700–1200),” comprises a description of the pre-Conquest society, building on the work of modern historians and archeologists and drawing primarily on published contemporary documents and literature. It moves through a wide range of topics, taking a thematic approach which deviates from a strictly chronological structure. The evidence cited is taken primarily from the Ebro region, but analogous material from elsewhere in the peninsula is used where appropriate.

²³ A *fatwā* (pl. *fatāwā*) is a *responsum*, the opinion of a Muslim jurist on a given point of law, normally relating to a concrete case which may be either factual or hypothetical, and which is considered to be valid by those individuals who recognize the authority of the jurist in question.

²⁴ See Burns’s review of Boswell’s *Royal Treasure* in *Speculum* 54 (1979): 548.

Introduction

By surveying issues of language, social and family structure, culture, government, and economy in the *Thaḡhr al-Aqṣā'*, a *status ante quem* of *mudéjar* society is tentatively established. Next, cross-frontier relations are discussed, on both the practical and ideological levels, along with the origins of the institutions of Christian Aragon and Catalonia. Finally, the immediate impact of Christian domination in terms of settlement and emigration is assessed, as are the effects of the imposition of new administrative and social institution.

The second part, "Muslims Under Christian Rule," is an exhaustive archival study of the last quarter of the thirteenth century, and comprises the main body of this work. The first of its four chapters, "The financial and judicial administration of *mudéjar* society," examines the institutional basis of *mudéjar* society and the formal interplay of the religious communities of the Crown according to fiscal, legal, and administrative jurisdictions. The corporate manifestation of *mudéjar* society, the *aljama*, is examined in detail. Next, "Muslims in the economy of the Christian Ebro" investigates changes in demography and market conditions as forces which contributed to the transformation of the pre-conquest society. The importance of *mudéjares* as agricultural producers is reflected in the Christian adaptation of the institution of *shirka*, while credit is revealed as a catalyst both for Muslim integration and community solidarity. Thirdly, "*Mudéjar* ethnicity and Christian society" investigates the roles which two social groups (the upper class and the slaves) played in shaping *mudéjar* ethnicity. A discussion of the role of language and religion as conduits of integration and consolidation follows. Finally, "Muslims and Christian society" examines coexistence at the "macro" level – a dynamic which resulted from the intrinsic characteristics of each society, spontaneous responses, and deliberate policies and strategies. After a discussion of the protocol of community relations through official legislation and popular attitudes, a study of communal violence in the Crown forms the basis for a reappraisal of *mudéjar* "vulnerability." Together, the four chapters of Part Two cover the most important modes of interaction of Christian and Muslim societies on the institutional level.

No such study of a minority community can be complete, however, without endeavoring to understand how individuals were affected by constraints on interaction. Organizations may take on a life of their own, but they are always affected by the will of their constituents. The existence of overlapping social sub-groups must be accounted for, and these very often cross the obvious religious divide. Part Three, "Individual and Community in the Christian Ebro," takes a "microhistorical" or prosopographical approach, and consists of a series of case studies of individual Muslims and Christians of the thirteenth century. These are not the

The Victors and the Vanquished

major personalities normally associated with biographical historical narrative but fairly insignificant figures, who by their very banality reveal the quotidian reality of this multi-ethnic medieval society. The experiences of Muslim and Christian officials, litigants, opportunists, and adventurers serve to illustrate the complexity of social and economic relations in the Crown, and an interdependency among members of the different faiths which defies simple analysis in terms of any single criterion of identity.²⁵

Having analyzed Muslim-Christian interaction and the *mudéjar* social experience from the various perspectives outlined above, this book closes with "Conclusions" which draw together and reconcile the various approaches taken. It is here that the larger questions mentioned above are addressed directly and the net effect of the Christian conquest over a two-hundred-year period is assessed. A broad temporal perspective is crucial to appreciating the process of change, and because of the scarcity of sources for some periods, progress must be apprehended by examination of prior and posterior forms. As with Hume's billiard balls, the nature of the force of change can be apprehended only in terms of the resultant movement. In other words, as students of biological evolution understand, intermediate forms or "missing links" are rarely observed, but must be inferred. In order, then, to provide a yet broader context, I close with some brief comparisons between the *mudéjar* experience and the situation of minority groups in general. This may at once shed light on the transformation of *mudéjar* society and suggest the degree to which the process in which the Muslims of thirteenth-century Aragon were involved may be considered typical for groups in analogous circumstances.

THE EBRO REGION, 1000-1300: AN HISTORICAL OVERVIEW

As this work does not follow a strictly chronological order a brief synopsis of the major events of the period will provide a broad historical framework for the material addressed in the chapters to follow.

With the implosion of the Caliphate of Córdoba in the early tenth century, the frontier march of the *Thaḡhr al-Aqṣā'* took the opportunity to express overtly what had up to then been a disguised independence. The governing family, the Tujībids, became the area's first autonomous *taifa* rulers, to be quickly succeeded by another local family of Arabic

²⁵ Edmund Burke would call this "social biography": see E. Burke, "Middle Eastern Societies and Ordinary People's Lives," in *Struggle and Survival in the Modern Middle East*, ed. E. Burke III (Berkeley, University of California Press, 1993), p. 6.

Introduction

origin, the Banū Hūd. This clan, which came to power under Sulaymān ibn Hūd in 1039/40, remained in control of the region until the eve of the Christian conquest. With their wealthy lands, the Banū Hūd soon found themselves under the hungry gaze of the neighboring Christian principalities: Castile, Navarre, Aragon, and the Catalan counties. Following the lead of other *taifa* rulers, they engaged in a dangerous policy of playing their enemies off against each other, buying protection by paying tribute. The practice of dividing the family lands at the death of each ruler ensured a state of more or less continuous conflict within the clan, a situation which the Christian powers endeavored to exploit, resulting in a web of criss-crossing alliances between the Christian kingdoms and rival Hūdid factions. In 1086 Muslim Zaragoza was saved from the armies of Alfonso VI of Castile (1065–1109) only by the sudden arrival in the peninsula of the Moroccan Almoravids. These self-proclaimed saviors of Islamic Iberia promptly gobbled up the very *taifa* kingdoms which had summoned them – with the exception of the Hūdid lands, which were left as a buffer zone against the Christian states. They did not take Zaragoza until 1110, just eight years before it fell to Aragon.

The complicated and ever-shifting alliances among Muslim and Christian powers of the area defies the myth of a coherent and unified programme of Christian “reconquest,” despite the papal indulgences with which these adventures were often bolstered. The first shock came in 1064 when, in what has been described as the “first Crusade,” a Norman-led force took the town of Barbastro and, violating a truce, massacred or carried off the majority of the inhabitants. But success was short-lived and the Banū Hūd, aided by Christian and Muslim allies, returned to visit swift justice on the town’s erstwhile conquerors. Nevertheless, such reversals were destined to be temporary, as forces of demography, economy and military capability conspired against Muslim domination in the region.

In short order the recently formed Kingdom of Aragon rose from its humble beginnings around the town of Jaca to become the greatest threat to Muslim power north of the Ebro. Under Sancho Ramírez (1063–1094) and Pedro I (1094–1104), important gains were made in the Pyrenean foothills, leading to the conquest of Huesca (1096) and the definitive seizure of Barbastro (1100). Finally, Pedro’s half-brother, Alfonso I (1104–1134), who earned the epithet “the Battler,” overran almost the entire territory over some thirty years of campaigning. Alfonso encountered a population disenchanted with its present leaders, ill-equipped to defend itself, and vulnerable to banditry and insecurity; by offering guarantees of judicial and administrative autonomy and wide freedoms, he persuaded many of the native Muslims to remain under his dominion.

The Victors and the Vanquished

The “Battler” ruled a kingdom with a crude central administrative structure, and was led to grant extensive territories to monastic houses and to nobles as *honores* in order to govern, thus laying the foundation for a class of magnates – the proudly independent Aragonese nobility. Further on, in the vast stretches of rocky hills and plateaux of the Aragonese “Extremadura,” geographic and demographic conditions encouraged the development of strong town councils.²⁶ Here social classes were permeable, and ordinary subjects were obliged to take on military roles. Through the twelfth and thirteenth centuries theirs was a life punctuated by raids and attacks, lucrative opportunities counter-balanced by fatal uncertainties in this “society organized for war.”²⁷

The early twelfth century, however, was not quite ripe for Christian domination of the Ebro, and Alfonso’s death outside the walls of Muslim Fraga in 1134 led to an Islamic resurgence which was to last some forty years. Nor were Muslims Aragon’s only foes; the Navarrese Kingdom of Pamplona, which been under Alfonso’s suzerainty, broke away under García Ramírez (1134–1150), and Castile took control of Zaragoza. In Aragon itself monarchy was saved from the power-hungry nobility only by the childless Alfonso’s enigmatic testament, which bequeathed the kingdom to the Military Orders and placed it under the *aegis* of the Pope. After a period of confusion, Alfonso’s brother, the monk-bishop Ramiro II (1134–1137), was crowned long enough to produce a child, Petronila. During the three years of his rule, Ramiro was forced to consolidate against Muslim aggression, forge a compromise with Alfonso VII of Castile (1126–1157), and dominate his own nobility. Petronila’s betrothal to Ramon Berenguer IV (1137–1162) brought Aragon under the rule of the Count of Barcelona, precipitating the dynastic union of the two realms in 1150 which, with the accession of their son as Alfonso II (1162–1196) of Aragon (Alfons I in Barcelona), gave birth to the “Crown of Aragon.”

In the aftermath of the Muslim conquest, the Catalan counties had originated as appendages of the Carolingian empire, which had brought the territory between the Aude and the Pyrenees under nominal Frankish power. Guifré “the Hairy” (870–897) Count of Urgell and Cerdanya, became the first Count of Barcelona, and progenitor of the royal line. Germanic disdain for primogeniture and central rule ensured, however, that Catalonia would remain a patchwork quilt of independent counties until the eleventh century, when Barcelona began an ultimately successful

²⁶ The Aragonese “Extremadura” is the desertlike area contained between the Ebro (from Belchite) and the Jiloca (from Daroca), stretching southwards past Teruel.

²⁷ I borrow the phrase from E. Lourie, “A Society Organized for War: Medieval Spain,” *Past and Present* 35 (1966): 54–76.

Introduction

drive to dominate the lesser principalities. Along with their embroilment in Provençal politics, this policy of consolidation distracted the counts from any organized program of expansion into Muslim lands. Demographic pressure, however, was doing its own work as people were pushed out of the valleys of the Pyrenees or fled repressive seigniorial conditions to take their chances discreetly assarting pieces of the “no-man’s land” around Tarragona.

Having established his position at home, Ramon Berenguer IV set about recouping much of the loss suffered after the death of Alfonso I, and conquered new territories, including Fraga, Lleida, and Tortosa. With Catalonia and Aragon united, both Alfons I “the Chaste” (1162–1196) and his son Pere I “The Catholic” (1196–1213) continued pushing the Crown’s borders southwards until the whole of the Ebro, Jalón, and Jiloca had been taken.²⁸ The eighty-year period initiated by Ramon Berenguer IV was one of institutional entrenchment, endowing the Crown with administrative structures durable enough to survive the crises which would follow.²⁹ His grandson, Pere I, was one of the heroes of the battle of Las Navas de Tolosa (1212) where, forsaken by Latin Christendom, peninsular forces dealt the Almohads a crushing defeat – one which signaled the end of any real Islamic threat to Iberia. Yet only a year later he found himself facing the Crusader Simon de Montfort at Muret when, involuntarily enmeshed in the Albigensian controversy, he was forced to defend his heretical vassals of Languedoc against predatory Northern French knights. He died in that battle, leaving an infant successor and a nobility determined to assert their independence from royal control.

The struggle between the nobility and the count-kings was to be a constant feature of the thirteenth century, which closed with the triumph of the magnates, who managed to extract extensive privileges from the chronically impecunious monarchs. In the meantime, however, the Military Orders assured the continuity of the Catalan–Aragonese Crown. Young Jaume I became a ward of the Templars at Monzón, where he remained until he took the field to subdue his unruly vassals at the age of eleven. Next, the king turned his energies on his Muslim neighbours; his successful campaigns in the Balearics, which were officially cast as Crusades and which served to embroil the Italian trader states in the affairs of the Crown, contributed greatly to the wealth of his Catalan provinces

²⁸ “Catalonia” itself was not united, and at Alfons I’s coronation, the substantial counties of Urgell, Pallars, Empúries, and Roselló remained independent. Alfons himself took Roselló and Pallars, Urgell came under Jaume I’s dominion in 1232, and Empúries remained independent until 1322.

²⁹ See T. N. Bisson, *The Medieval Crown of Aragon. A Short History* (Oxford: Clarendon, 1986), p. 85.

The Victors and the Vanquished

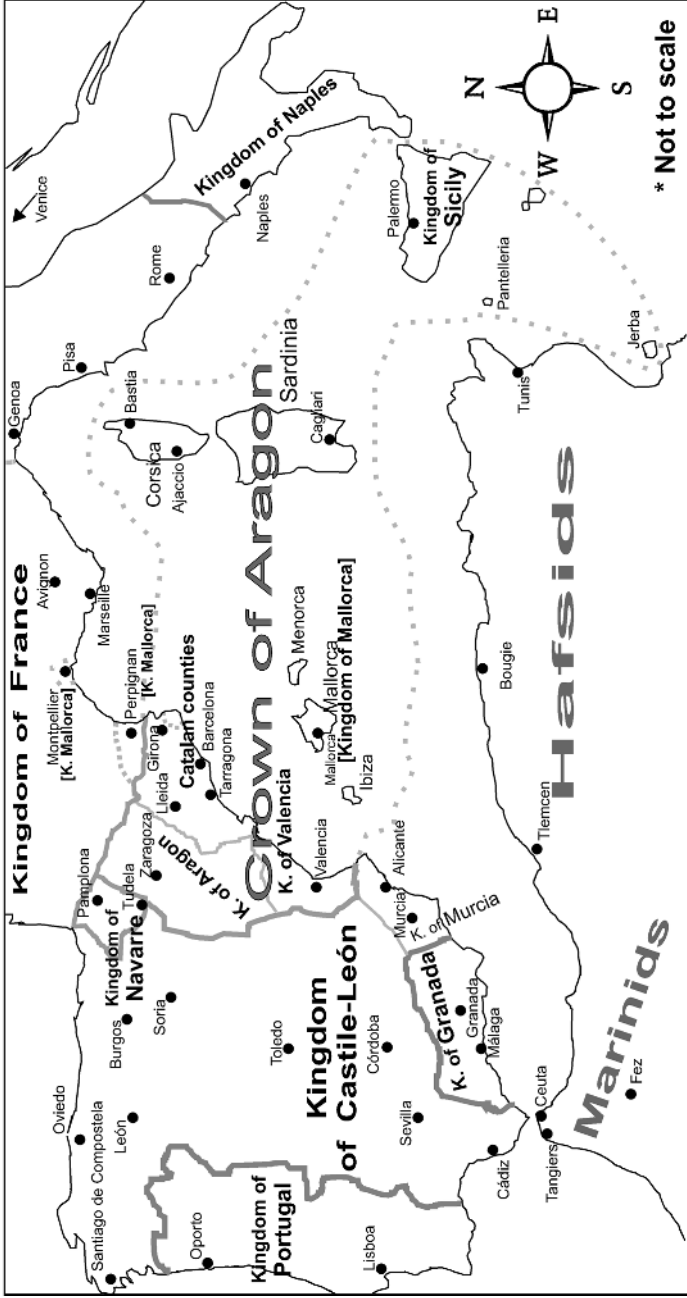
and set the Crown of Aragon's course as a Mediterranean power.³⁰ Jaume followed up with the rapid conquest of Valencia in 1238, but the subjugation of its hinterlands proved no easy task. The rebellions and revolts would outlive the king himself, and his eldest son Pere II (1276–1285) would inherit them as part and parcel of the Kingdom of Aragon and the County of Barcelona. Nevertheless, Jaume pushed on, conquering Islamic Murcia, which he ceded to Castile under the Treaty of Almizra (1244).³¹ The conquest of the Kingdom of Valencia and Murcia moved the border between Christian and Islamic Spain away from the Ebro, converting the Aragonese Extremadura into part of the Christian heartland, and although many Muslims continued to live in the region, they were gradually converted into a numerical minority. With the region now firmly under Christian control, Catalano-Aragonese *mudejarismo* entered a phase of normalization: administrative institutions coalesced and the substantial Muslim population took on a regular and defined role in the society and economy of the Crown of Aragon.

In the closing decades of the thirteenth century under Pere II and his sons, Alfons II (1285–1291) and Jaume II (1291–1327), the Crown looked towards the Mediterranean. Diplomatic relations were established with Ḥafṣid Tunisia and Marinid Morocco and traders ranged as far afield as Mameluke Alexandria and Constantinople. Pere engaged in an abortive invasion of his troublesome protectorate of Tunisia, and Catalan freebooters came to control an independent principality around Athens. Unfortunately, Jaume I's decision to split his realms between his heirs led to diplomatic and military conflict over control of the Balearics, a struggle which led Alfons II to invade the island in 1285 and annex complicitous Islamic Minorca in 1287. Despite these successes, however, conflict with the rival dynasty would continue to plague the Crown through the first half of the following century. In the meanwhile, Sardinia, Corsica, and Sicily were also acquired, the latter precipitating the wrath of the Papacy and the Angevins and provoking their unsuccessful invasion of Catalonia in 1285. In the same period, the Aragonese nobility continued to chafe at royal domination, the ferment of their discontent giving rise to open revolt in the form of the *Uniones*. As a result of this episode, the monarchy was driven to grant extensive rights to this class, including a "Magna Carta," the *Privilegium generale*, in 1287.³² Nor were the southern and western frontiers secure, and wars with Castile and Navarre flared up periodically through the second half of the thirteenth century. For the

³⁰ Mallorca was conquered in 1230, Minorca yielded to Jaume's overlordship in 1231 and Ibiza fell to Catalan forces in 1235.

³¹ This treaty established the respective zones of influence of Castile and the Crown of Aragon.

³² See E. Sarasa Sánchez, *El privilegio general de Aragón* (Zaragoza: Cortes de Aragón, 1984).



Map 1: The western Mediterranean, c. 1300

The Victors and the Vanquished

most part these struggles were indecisive, although the northern part of the Kingdom of Murcia was acquired from Castile. In the last decade of the century Jaime II's reign brought peace with the Papacy, France, and Castile, but only at the cost of territories which had been gained in Mallorca and Sicily. On the other hand, the Crown's relationships with its Muslim neighbours in the peninsula were not always bellicose. Despite the involvement of Granada in the *guerra Sarracenorum*, the revolt which shook the Kingdom of Valencia during Pere II's reign, the Muslim kingdom proved to be a convenient trading partner and an occasional ally against the Crown's principal rival, Castile.

Notwithstanding the various alarms and excursions, the thirteenth century was one of relative stability in the Ebro region. It would be in the next century that the effects of the nobles' victory would come to be felt, when the Templars would be disbanded and the cataclysms of crop failure, plague, and war would be visited on the peoples of the Ebro basin – factors which together contributed to the development of a Christian-Muslim dynamic distinct from that of our period of study.

PART I

Muslim domination of the Ebro and its demise

ومن مدائن الاندلس سرقسطة وهي عظيمة قديمة...

وهي كثيرة الزرع والضرع والفواكه حتى ليس في معمور الارض اكثر منها فاكهة...

وهذه المدينة كثيرة البساتين والزهر والمباني الحسنة وهي على النهر الاعظم للمسمى بوادي ابره...

al-Zuhrī [?] (twelfth century)¹

E assi com nostres mayors els sauis nos amostraron, passatz CDCCC ans
cessara la cultura de Maomat que mostra als serrayns et sera destruita . . .

Fuero of Jaca (twelfth century)²

¹ "And one of the cities of al-Andalus is Zaragoza, and it is magnificent and ancient . . . and it has so much agriculture and animal husbandry and fruit that there is no place in the whole world with more fruit than it . . . And the city has many gardens and flowers and fine buildings. And it is on a great river called the Ebro . . .": R. Basset, "Extrait de la description de l'Espagne tirée de l'ouvrage du géographe anonyme d'Almeria," in *Homenaje a D. Francisco Codera* (Zaragoza: Mariano Escar, 1904), pp. 626, 628-629 (French: 642-643)

² "And just as the our wise predecessors showed us, with 700 years having passed, the sect of Muhammad borne by the Saracens will cease and be destroyed . . .": M. Molho, *El fuero de Jaca* (Zaragoza: Escuela de Estudios Medievales, Instituto de Estudios Pirenaicos, 1964), p. 174, doc. O: 19.

INTRODUCTION

The development of *mudéjar* society was a direct consequence of Catalano-Aragonese domination but it was not created *ex nihilo*. Hence a study of the first centuries of *mudejarismo* should begin with an analysis of the pre-conquest society. Further, Christian control was neither immediate nor uniform, but came in stages: first military, then political, finally social and cultural, and was effected at a rate which varied locally. The gradual character of this process resulted from the fact that contemporary Christian political and administrative entities were anything but militarily invincible or institutionally mature. Alfonso “the Battler” was king of what recently had been nothing more than an insignificant mountain principality; his phenomenal successes against his Muslim neighbours were the result of a gambit to forestall Castilian ambitions in the region – a campaign which was as accidental as the eventual union of Aragon and Catalonia in the years following his death.

Traditionally, relatively little attention has been paid by historians to the society of the *Thaghr al-Aqṣā'*; like contemporary chroniclers, modern historians of al-Andalus have tended to focus on events at the caliphal court rather than in the provinces. Nevertheless, a few general studies and a number of scholarly articles have sketched out a basic history of the region under Islamic rule.¹ The analysis in the first chapter is built largely on these works and their sources: contemporary and later Latin and Arabic-language chronicles, geographic treatises, biographical dictionaries and *fatwā* literature, complemented by the conclusions of topographical and archeological investigations. Archeological studies have been of particular importance in revising our image of Andalusi economic and social life; and, if little work has been done on the lands of the Ebro itself, the results gleaned from other regions are often applicable by analogy.²

¹ See the works by A. Turk, M. J. Viguera, and D. Wasserstein in the Bibliography.

² A detailed study of the irrigation system of the zone of Almonacid de la Cuba has just been published: see J. Sesma Muñoz *et al.*, *Agua y paisaje social en el Aragón medieval. Los regadíos del río Aguasvivas en la Edad Media* (Zaragoza: Confederación Hidrográfica del Ebro, 2001).

Muslim domination of the Ebro and its demise

The second chapter addresses matters relating to Muslim–Christian cross-frontier relations, the development of Christian Aragon and Catalonia in the eleventh and twelfth centuries and, finally, the process of the conquest itself. Sources for the Christian principalities of this era are limited for the most part to chronicles, many of which survive only in the form of later redactions and which must be read with care due to the novelties of tone and content which were frequently introduced by copyists.³ For the decades following the conquest, land grant and exchange records appear which, despite their sketchy and formulaic nature, provide considerable insight into social and economic structures. The relative scarcity of direct evidence has contributed to a diversity of interpretations among modern historians, whose opinions have tended to polarize regarding issues of continuity. Some perceive of the conquest as a cataclysm, in which a new *mudéjar* society was established over the palimpsest of the Furthest March, while others discern essential strands of continuity between the society of the *Thaghr* and that of the *mudéjares* of the Crown of Aragon. This is no small point, since any broad analysis of the later centuries of *mudéjar* society must make reference to its origins.

³ The *Chronica Adefonsi imperatoris*, for example, is so heavily laden with Biblical *topoi* and political propaganda that the details of the narrative can be interpreted only with greatest caution. See A. Giménez Soler, “La frontera catalano-aragonesa,” in *II Congreso de Historia de la Corona de Aragón*, 1 vol. published (Huesca: Justo Martínez, 1920), 1, p. 482.

Chapter 1

THAGHR AND TAIFA

Although the *Thaghr* may be characterized as a region where Islam was practiced, Arabic was spoken, and “Oriental” traditions were followed, such a vague and obvious description provides little basis for analysis. There may be “ideal” characteristics of an Islamic society, but no ideal Islamic society has ever existed. Rather, that of each region is an expression of the dialogue between Muslim tradition and belief, Eastern and local influences, and indigenous structures; each embodies a set of particularities related to the pre-Islamic societies of its own area and the circumstances of its conquest.¹ But plotting the social and economic profile of the pre-conquest *Thaghr* is a discouraging task, given the sparsity and frustrating reticence of written records. One is forced to draw analogies and inferences from later documentation produced under Christian rule and from contemporary evidence relating to other regions of al-Andalus. The result is a composite portrait which, like a police artist’s sketch, attempts to meld together distinguishing features – a patchwork of clues gathered from across more than four centuries of Muslim rule in the peninsula – into a recognizable and plausible whole. The logical place to begin such a description is with a discussion of the people of the region and of the Muslim conquest itself.

MUSLIM CONQUEST AND SETTLEMENT

The Islamic conquest of Spain proceeded along the same general lines as that of Syria and Egypt, in which a small but motivated attacking force confronted disheartened and disorganized native populations whose overlords (here, the Visigothic and Ibero-Roman aristocracy) proved unable to defend them. After the devastating rout of the Visigothic forces near Jerez de la Frontera (711 CE), “Hispania” lay open. As the Muslims promenaded through the peninsula, the population of each town was

¹ See T. Khalidi, “Religion and Citizenship in Islam,” in *Religion and Citizenship in Europe and the Arab World*, ed. Jorgen S. Nielsen (London: Grey Seal, 1992), p. 28.

Muslim domination of the Ebro and its demise

confronted with the prospect of siege or surrender. If they elected to resist, they would be considered conquered peoples and they and their property could be taken as booty once captured, whereas if they surrendered they were allowed to enter “peaceful compromise” and were granted a treaty (*amān*) by which they would become free subjects (*dhimmiyyūn*) under Islamic dominion. *Dhimma* or “the pact of protection” originated in the *ad hoc* treaties of submission which Muslim commanders made with their opponents during the initial Islamic military expansion. It was essentially an agreement that required non-Muslim peoples to pay a head-tax (*al-jizya*) in exchange for which they would enjoy a considerable level of liberty, security, and individual and community autonomy, with the understanding that they were to acknowledge Islam’s superior political jurisdiction.² With the arrival of the Muslim forces in the Furthest March, the populations of most towns chose to surrender and accept the pact. The only notable exception was Huesca, which reputedly withstood seven years’ siege before submitting and receiving *amān* and *dhimma*.³ Aside from this there is no record of any substantial resistance to the Islamic conquest; local legends of resistance are probably apocryphal and relatively recent.⁴

In the four centuries following the conquest Arabs and Berbers emigrated to the Furthest March as to the rest of al-Andalus, but while most of the invading soldiers and their families stayed in Spain, they would not have constituted a large numerical presence.⁵ In 741, in the wake of the disastrous campaign of pacification mounted by the Caliphate against the North African Berbers, Balj b. Bishr came to al-Andalus with a party numbering some ten thousand. This represented the last significant influx of Arabs to the peninsula, immigrants who were generally of Syrian origin.⁶ In subsequent centuries Berber clans continued to filter across the

² In the ninth century, as Islam developed a systematic theology, the concept came to be imbued with a theoretical uniformity and endowed with the weight of a canonical tradition which it had not possessed in any real sense up to then.

³ Al-Ḥimyarī, *La péninsule ibérique au moyen-âge d’après le Kitāb ar-raud al-mi’tār fi ḥabar al-akbār d’ibn ‘Abd al-Mun’im al-Ḥimyarī* (Leiden: Brill, 1938), pp. 236–237 (Ar. p. 190). Christian chronicles offer only sketchy summaries of the conquest: see PCCG, I, p. 318, doc. 563.

⁴ See A. Ubieto Arteta, *Leyendas para una historia paralela del Aragón medieval* (Zaragoza: Institución “Fernando el Católico,” 1998), pp. 48–9, doc. 7, 49–50, doc. 8 and 52, doc. 11.

⁵ Collins estimates the number of invaders to have been no more than 15,000: R. Collins, *The Arab Conquest of Spain 710–797* (Oxford: Basil Blackwell Ltd., 1989), pp. 96 and 97; cf. P. Guichard, *Al-Andalus: Estructura antropológica de una sociedad islámica en occidente* (Granada: Universidad de Granada, 1995), pp. 442ff.

⁶ For Balj, see ‘A. Ṭāha, *The Muslim Conquest and Settlement of North Africa and Spain* (London: Routledge, 1989), p. 132; for origins, M. Makki, “Ensayo sobre las aportaciones orientales en la España musulmana y su influencia en la formación de la cultura hispano-árabe,” *Revista del Instituto de Estudios Islámicos* 9/10 (1961/1962): 106.

straits to settle, either temporarily or permanently, a trend which gained momentum in the tenth century after ‘Abd al-Raḥmān III began to recruit North Africans to serve in the caliphal army, to act as a counter-weight to the Arabic and *muwallad* aristocracy.⁷ On the whole, however, the people of al-Andalus were the descendants of the subjects of the Visigothic kings.

Immigration and settlement in the Furthest March

This was particularly the case in the Ebro region, where pockets of significant Arab and Berber settlers lived among an overwhelmingly indigenous population. Muslim geographers reported that settlement in the frontier zone was negligible, but also that members of important Arab groups did indeed colonize the March after the conquest.⁸ In the furthest margins of the *Thaghr* the sparseness of immigrants is reflected by a lack of toponymical innovation, which indicates that new settlements did not appear.⁹ Even Zaragoza, a major centre which indeed received a significant Arab influx, passed under the control of the Banū Qāsī (the “descendants of Cassius”), a family whose name betrays their Ibero-Roman origins. Indeed, the tendency throughout al-Andalus was for the former Visigothic and native nobility of each locale to be coopted or absorbed when they were not displaced by the new Islamic ruling class.¹⁰ In the case of the Furthest March, it was not until after a century had passed that families of Arabic

⁷ *Mawālī* (sing. *muwālā*), were converts who became “clients” of established Arab families – a common practice in early Islam. *Mawālī* were integrated into the tribal and clan structures of their patrons and frequently adopted their genealogies. *Muwalladūn* (sing. *muwallad*) were the descendants of converts.

⁸ See Ṭāha, *The Muslim Conquest and Settlement of North Africa and Spain*, pp. 115ff.; J. Vernet, “El valle del Ebro como nexo entre oriente y occidente,” *Boletín de la Real Academia de Buenas Letras de Barcelona* 22 (1950): 249–286; al-Ḥimyarī, *La péninsule ibérique au moyen-âge d’après le Kitāb ar-rawd al-mi’tār*, p. 119 (Ar. p. 97) for settlement. On the other hand, al-Ḥimyarī (following al-‘Udhri) remarked, perhaps maliciously, that “no true descendant of an Arab” could be found in Huesca (“[ليس] رجل ينتهي إلى أصل صحيح من العرب”): *ibid.*, pp. 236–237 (Ar. pp. 194–195); cf. A. al-‘Udhri, *Nuṣūṣ ‘an al-Andalus min Kitāb Tārīḥ al-akhbār wa-tanwī‘ al-‘āthār, wa ‘l-bustān fī gharā’ib al-buldān wa ‘l-masālik ilā jamī‘ al-mamālik* (Madrid: Maḥad al-Darāsāt al-Islāmiyya, 1965), p. 57.

⁹ Newcomers did not necessarily found new settlements. See C. Laliena Corbera and P. Sénac, “Le peuplement musulman dans le district de Huesca (VIII^e–XII^e siècles),” in *La Marche Supérieure d’al-Andalus et l’Occident chrétien* (Madrid: Casa de Velázquez, 1991), 73. For a provocative, if idiosyncratic, discussion of the problems of toponymical analysis see S. Fanjul, *Al-Andalus contra España: la forja del mito* (Madrid: Siglo Veintiuno, 2000), pp. 188–204.

¹⁰ The best-documented case is that of Tudmīr (Theodomir) of Murcia in 713. See R. I. Burns and P. Chevedden, *Negotiating Cultures, Bilingual Surrender Treaties in Muslim-Crusader Spain* (Leiden: Brill, 1999), pp. 202–203, 231–232.

Muslim domination of the Ebro and its demise

descent came to power: the Banū Tujīb and the Banū Hūd.¹¹ If the level of Arab settlement in this region is uncertain, that of the Berbers is much debated. Such as it was, North African settlement was densest south of the Ebro, along the Jalón and Jiloca and in the valleys and plains stretching towards Teruel, but there were communities throughout the zone, notably around Zaragoza and Lleida. Place names in the lands between the Jiloca and Ebro, south and west of Belchite, also indicate substantial colonization.¹²

Despite the uneven nature of immigration to the March, settlement patterns did undergo adjustments as a result of the Islamic presence. Centres which had been of importance in Visigothic times, such as Zaragoza (Lat. Caesar Augusta, Ar. Saraqūṣṭa), Huesca (Lat. Osca, Ar. Washqa) and Tarazona (Lat. Tirassona/Turiasso, Ar. Ṭarasūna), remained the urban anchors of the region, while other sites which had declined under the Visigoths were refounded. Thus the ruined and depopulated Lleida (Lat. Ilerda, Ar. Lārīda) was re-established by one of the Banū Qāsī in 883/884 (270 AH).¹³ On the other hand, other centers, already decadent with the decline of Roman power, were all but abandoned because of the insecurity of the new frontier. Hence Tarragona (Lat. Tarracco, Ar. Ṭarakūna) and Uxama (Cast. Osmā, an episcopal See) all but disappeared, whereas secure locales along the Jalón, like Ricla and Roda (Ar. Rawḍa, Cast. Rueda), grew in importance.¹⁴ Generally, characteristics which had been favorable to the development of towns, factors such as defensibility and access to resources and communication, dictated whether or not settlements endured. For example, the attractions of a site like Tortosa (Lat. Dertosa, Ar. Ṭurtūsha) were many – proximity to a wooded hinterland and fertile river valley, access to the sea, and the presence of an easily fortified hill – and made its continuing settlement fairly inevitable.¹⁵ New settlements appeared under the Muslims, south along the Jiloca, most notably Calatayud (Ar. Qal'āt Yaqūb or Qal'āt Ayyūb) and Daroca (named after the Berber Banū Dawraqa clan), areas which were well suited to Maghribian agricultural and husbandry practices. More profound, however, than the mere geographical redistribution of population was the establishment of the *ḥiṣn/qarya* fortress/hamlet configuration (discussed below), a hallmark of Andalusī rural social organization, which

¹¹ See al-'Udhri, *Nuṣūṣ 'an al-Andalus*, pp. 41–48; Ibn 'Idhārī, *Al-Bayān al-Maghrib fī akhbār al-Andalus wa 'l-Maghrib*, ed. E. Lévi-Provençal, 4 vols. (Beirut: Dār al-Thaqāfa, 1983), III, pp. 221–232, respectively.

¹² Sesma Muñoz *et al.*, *Agua y paisaje social en el Aragón medieval*, p. 75.

¹³ See al-Ḥimyarī, *La péninsule ibérique au moyen-âge*, pp. 202 (Ar. p. 168) and 236–7 (Ar. p. 190).

¹⁴ Al-Ḥimyarī depicts Tarragona as disputed constantly between Muslims and Christians (*al-Rūm*): *Al-Rawḍ al-mi'ār* (Beirut: Maktabāt Lubnān, 1975), s.v. Ṭarakūna.

¹⁵ Al-Ḥimyarī recounts these virtues in detail: *ibid.*, s.v. Ṭurtūsha.

Thaghr and taifa

comprised the real revolution in settlement under Islamic rule. This setup was not imposed, however, but developed gradually, parallel to the processes of Arabization and Islamicization, a reflection of shifts in political configuration and agricultural organisation.

RELIGION IN THE MARCH

The level of Christianization in the Ebro region preceding the Muslim conquest is also debatable. On the one hand Visigothic Spain displayed considerable energy on the conciliar level, and several councils were convened in this area, including Huesca (598), Lleida (546), Tarragona (516), and Zaragoza II and III (592 and 691). Further, Zaragoza undoubtedly had mercantile and administrative classes sufficient to sustain a sophisticated Christian culture, and produced ecclesiastical figures of the caliber of St. Braulio (Bishop 631–651), acolyte and editor of Isadore of Seville. In the countryside, on the other hand, the situation was significantly different. Here, the nobility maintained private churches which could hardly have ministered to the superficially Christianized peasant community, a population which maintained a mish-mash of vague, magic-oriented religious beliefs that would scarcely have qualified as a system.¹⁶ The lack of penetration is attested to by reports of syncretism which were noted early on by Muslim authorities, as in 730 when certain Christians of Zaragoza were found observing Judeo-Muslim dietary laws.¹⁷ Further, there is little evidence for the *Thaghr* of family-based monastic foundations of the type which developed in the South and became the nexus of semi-organized Christian resistance to the spread of Islam – the linchpin in the ninth-century affair of the “Martyrs of Córdoba.”¹⁸

Conversion to Islam

As a rule Islam was not imposed by the conquerors, given that the indigenous peoples were considered Christian and therefore immune from coercive proselytization. Thus, conversion proceeded at varying rates, although it must have been all but complete by the late tenth century.

¹⁶ This was probably the case throughout Western Europe. For Spain see J. N. Hillgarth, “Popular Religion in Visigothic Spain,” in *Visigothic Spain: New Approaches*, ed. E. James (Oxford: Clarendon, 1980), pp. 2–60.

¹⁷ E. Colbert, *The Martyrs of Cordoba (850–859): A Study of the Sources* (Washington: Catholic University of America Press, 1962), pp. 52–53. Conversion to Islam presents the same ambiguities as conversion to Christianity; the question remains (and will be addressed below) as to what this conversion meant, especially to the lower classes. *Pagani* probably remained *pagani* for some generations after the conquest.

¹⁸ See below, p. 29.

Muslim domination of the Ebro and its demise

It began with the administrative classes, sometimes sponsored by influential Arab families, and at other times through the impulse of powerful native clans (e.g. the Banū Qāsi). Converts became clients (*mawālī*) of Arab families, augmenting the number and influence of the latter while sharing in their religio-social prestige, and even coopting their genealogies. Because most churches in the area were private foundations attached to noble estates, and lords had the right to appoint clergy, the conversion of local ruling families would have acted to effectively wipe out rural Christianity in many areas, and encourage lower strata conversion.¹⁹ Less privileged classes, particularly slaves, also converted early on, inspired by the manifest success of Islam and the possibility of improving their own personal status.²⁰

The current historical debate regarding the rate of conversion to Islam is divided roughly between those who accept an application of Bulliet's bell curve, which has the bulk of the population converting between 910 and 1010, and those who favor a more rapid pace, in which the majority converted within the first century of Muslim domination.²¹ It is worth observing that the *masjid al-jāmi'* (congregational mosque) of Lleida was built (or rebuilt) in 901, a date which suggests a curve which peaks just earlier than Bulliet's model.²² The departure of Eleca, the Mozarab bishop of Zaragoza, for Christian Oviedo in 893 is also significant.²³ But Islamicization was probably not uniform, and marginal areas such as the frontier zone between Lleida and the Pallars may not have converted until as late as the early eleventh century.²⁴ For the purposes of the present study, however, the rate of conversion in the early phase of Islamic dominion is not critical; all well-informed parties would concede that by the middle of the eleventh century the society of the *Thaghr* was thoroughly Muslim.

¹⁹ Hillgarth, "Popular Religion in Visigothic Spain," p. 45.

²⁰ In Bulliet's model the early converts, or "innovators," belong to two groups: the most and the least privileged members of society: R. Bulliet, *Conversion to Islam in the Medieval Period: An Essay in Quantitative History* (Cambridge, MA: Harvard University Press, 1979), pp. 49ff. Slaves would benefit immediately from conversion as Islamic law prohibits *dhimmiyyūn* from owning Muslim slaves; convicted criminals might also escape punishment this way. See V. Lagardère, *Histoire et société en Occident musulman au moyen âge: analyse du Mi'yar d'al-Wanṣarīš* (Madrid: CSIC, 1995), p. 53, doc. I: 194.

²¹ For Spain, see Bulliet, *Conversion to Islam in the Medieval Period*, p. 117. For a review of the debate see T. F. Glick, *From Muslim Fortress to Christian Castle. Social and Cultural Change in Medieval Spain* (Manchester University Press, 1995), pp. 51ff.

²² Al-Ḥimyarī, *La péninsule ibérique au moyen-âge*, p. 202 (Ar. p. 168).

²³ This departure probably resulted from a decline of congregation, power, and prestige, rather than issues related to "race" (*raza*) as Simonet suggests: *Historia de los mozárabes de España*, III, pp. 507–508.

²⁴ T. F. Glick, *Islamic and Christian Spain in the Early Middle Ages* (Princeton, NJ: Princeton University Press, 1979), p. 62.

Thaghr and taifa

Christians and Jews of the Furthest March

Thorough as conversion to Islam may have been here, a Christian presence did indeed persist, as suggested by references to the Metropolitan of Tarragona in late ninth-century documents.²⁵ In the territories of the Furthest March, the remains of rural churches also reflect Christian persistence, and there is evidence that Mozarabs fought in defense of the *Thaghr*, participating in *ghazawāt* against Christian neighbors and struggles between Muslim factions.²⁶ For example, in 936/7 a significant number of Christians holed up in Calatayud with the rebel Muṭarrāf, to be massacred in a desperate stand against the caliphal forces.²⁷ Some villages may have remained predominantly Christian, but there is no documentary evidence to confirm this.²⁸ On the other hand, traces of a broader community can be discerned through the ninth-century travels of St. Eulogius of Córdoba to the monasteries of the Pyrenees, in the conduit which carried the correspondence of Elipandus and Felix of Urgell, and in the faint echoes here of the “voluntary martyr” phenomenon of the South.²⁹ In the ninth century, however, where Bulliet locates the beginning of a massive shift in consensus, there is little indication of the type of Christian resistance witnessed in Córdoba and Toledo, nor of the drawn-out *muwallad* rebellions which signaled the last attempt by the pre-Islamic aristocracy of the South to retain power.³⁰ Evidence points to a rapid attrition in the North; for example, during the first centuries of Muslim rule the Christian community of Lleida was apparently ruled

²⁵ Such notices admittedly are not sufficient proof of the survival of a substantial Christian community. See D. Wasserstein, *The Rise and Fall of the Party-kings: Politics and Society in Islamic Spain 1002–1086* (Princeton University Press, 1985), p. 230; documents in Simonet, *Historia de los mozárabes de España*, IV, pp. 808–810, doc. 5.

²⁶ J. Lladonosa i Pujol, *Història de Lleida*, 2 vols. Tàrraga: F. Camps Calmet, 1972), I, p. 82. *Ghazawāt* (sing. *ghazw*) are “raids”.

²⁷ al-ʿUdhri, *Nuṣūṣʿan al-Andalus*, p. 51.

²⁸ A. Ubieto Arteta, “La reconquista y repoblación de Alcañiz,” *Tèrrel* 9 (1953): 66. A toponym like Alcañiz (≈*al-kinīsa* = Ar. “church”) may suggest such a survival, but the derivation is uncertain. See F. Corriente, “Toponimia hispano-árabe en Aragón,” *Turriso* 7 (1987): 77.

²⁹ For Eulogius and Elipandus, see Colbert, *The Martyrs of Cordoba*, pp. 181 and 80ff., respectively. The “martyrdom” suffered by the children Nunio and Alodio in Huesca in 851 was the result of their being the issue of a mixed marriage in which they adhered to the Christian faith of their mother, rather than the Islam of their father, as required by the *shariʿa*. (See Laliena and Sénac, “Le peuplement musulman,” p. 37.) They were apostates by circumstance, reflecting the tensions resulting from in-family heterodoxy, a theme explored in Jessica Coope, *The Martyrs of Córdoba. Community and Family Conflict in an Age of Mass Conversion*. (Lincoln, NE: University of Nebraska Press, 1995). The two child-martyrs are commemorated in the eleventh-century portal of the royal monastery of Leyre in Navarre, where their relics were once revered.

³⁰ For *muwallad* rebellions of the south see M. Ación Almansa, *Entre el feudalismo y el Islam. ʿUmar ibn Hafsun en los historiadores, en las fuentes y en la historia* (Barcelona: Universidad, 1994). The Banū Qāsi were supplanted at the outset of the ninth century.

Muslim domination of the Ebro and its demise

by a *qūmis* (“count”) and had its own judiciary, but there is no mention of any such administration in the later period.³¹

The evidence for the late survival of a Mozarabic community in the Ebro region comes primarily in the form of grants and charters dating from the early twelfth century, when this territory fell to Alfonso I, and from oblique references in earlier documents.³² For example, Alfonso I's *carta-puebla* issued to settlers of Mallén may have been directed at the Mozarab community of Zaragoza, whose properties in the city had been granted by Alfonso to Gaston of Foix.³³ Two further documents (now lost) recorded by Zurita refer to a church in Huesca (San Pedro) which predated the Christian conquest, as well as to other locales where Christian worship persisted.³⁴ Similarly, an undated charter of Ramon Berenguer IV transfers the Monastery of Saint Benedict “in the Mozarabic quarter” of Huesca to the care of another monastic house, while the Castilian king Alfonso VII's *fuero* of Zurita (1125) refers to Mozarabs from Calatayud and elsewhere in Aragon.³⁵ Finally, the survival of some level of episcopal administration in the region indicates that the bigger towns at least continued to sustain a Christian society.

As was the case throughout al-Andalus, offices in the Islamic administration were sometimes held by Christians. Thus, in 1064 al-Muqtadir of Zaragoza (1049/50–82/83) sent Paterno, the Mozarab bishop of Tortosa, as an envoy to Fernando I (1035–1065) in Santiago, while the Christian Abū'Umar b. Gundisalvus served the same *taifa* ruler as *wazīr* (prime minister).³⁶ This official's use of Arabic cognomens is emblematic of the adoption by Christians of the outward manifestations of Arabo-Islamic culture. In fact, by the late eleventh century Arab influences were so strongly imprinted that they had engendered a new ethnicity, evidenced by the “Muças,” “Zaheids,” and “Zalemas” who are encountered in contemporary Christian documentation. The fact that Mozarabs – from

³¹ R. Pita Mercé, *Lérida árabe* (Lleida: Dilagro Ediciones, 1974), pp. 83, 106. Collins reprints d'Abadal's edition of a now lost document referring to Fortun, a priest who was the Christian magistrate of the region: R. Collins, “Visigothic Law and Regional Custom in Disputes in Early Medieval Spain,” in *The Settlement of Disputes in Early Medieval Europe*, ed. W. Davies and P. Fouracre (Cambridge University Press, 1986), p. 255, doc. 17.

³² See F. Balaguer, “Notas documentales sobre los mozárabes oscenses,” *Estudios de la Edad Media de la Corona de Aragón* 2 (1946): 397–416.

³³ Simonet, *Historia de los mozárabes de España*, iv, p. 742. Simonet may have confused the date of this document (*ibid.*, p. 743) with a charter of 1132. (CFCP, p. 503.)

³⁴ Zurita, *Anales de la Corona de Aragón*, I, pp. 106, doc. 1.32, and 100, doc. 1.31.

³⁵ “. . . in illo barrio de Muzarabis”: *España sagrada*, 56 vols., ed. E. Flórez et al. (Madrid: Real Academia de la Historia, 1879–1946 [1866]), XLIX, p. 363, doc. 22; Simonet, *Historia de los mozárabes de España*, iv, pp. 326–327, doc. 12.

³⁶ R. Menéndez Pidal and P. García Gómez, “El conde mozárabe Sisnando Davidez y la política de Alfonso VI con los taifas,” *Al-Andalus* 22 (1947): 30 and 36; Simonet, *Historia de los mozárabes de España*, III, p. 660.

must'arib (“a would-be Arab”) – of the *Thaghr* employed Arabic-style names such as “Zaheid iben Zafar”, “Pesençano Iben Azafar” and “Iben Gafif” in purely Christian contexts demonstrates that they had acculturated thoroughly and that their “Oriental”-type names were not mere aliases adopted to facilitate their movement within Islamic society.³⁷ Conversely, some Christian names, such as Lope, and Fortún entered the local Arabic lexicon (“Lūbb” and “Fortūn”), and others were adopted in translated form (such as “Sa’d” for “Felix”).³⁸ This complementary Arabization of indigenous names indicates a counter-current of acculturation in which local Islamic society absorbed autochthonous features, although the use of such names tended to be restricted to the descendants of converts.

By the twelfth century Mozarabs had developed a liturgy, law, language, and culture distinct from the rest of Latin Christendom.³⁹ Thus, when Alfonso VII promulgated the *fuero* of Toledo (1118), he specified that it applied to the Castilians, Mozarabs, and Franks of the city. In the witness list, Mozarabs identified themselves with undeniably Islamic names (such as al-‘Azīz and Ibn‘Uthmān), signing only in Arabic characters.⁴⁰ If such a high degree of acculturation suggests that the community was weak, it should be noted that the Christian presence in the Furthest March was cohesive enough to attract converts. The most notable of these was a Huescan Jew, Mose Sefardi, who converted in 1016 and went on, as “Petrus Alfonsi,” to write the *Disciplina clericalis* and other works. Soon after the Christian conquest, the local Mozarab population was given a boost when Alfonso I, returning from a *razzia* deep into the Muslim South in 1132, brought back a multitude of Christian refugees, whom he settled in the area.⁴¹ Unlike Alfonso VI at Toledo, the king did not recognize the Mozarabs as a separate legal community, and thus over the course of the following generations they disappeared as a distinct group.⁴²

³⁷ I. Rodríguez de Lama, *Colección diplomática medieval de la Rioja (923–1225)*, 3 vols. (Logroño: Ochoa, 1976), II, pp. 106–108, doc. 44 and 45.

³⁸ E. Lévi-Provençal, *Histoire de l'Espagne musulmane*, 3 vols. (Paris: G. P. Maisonneuve, 1950), III, pp. 184–185.

³⁹ The Mozarab liturgy was tolerated until the famous incident of 1086 in which Alfonso VI submitted it and its Roman counterpart to ordeal by fire, putting the fix in for the Catholic rite: *PCG*, II, p. 543, chap. 872.

⁴⁰ *CFCP*, pp. 367–369.

⁴¹ See A. Huici Miranda, *Al-Hulāl al-mausiyya. Crónica árabe de las dinastías Almorávide, Almohade y Benúmerin* (Tetuan: Edición Marroquí, 1952), pp. 108ff.; Ibn al-Athīr, *Ibn el-Athīr. Annales du Maghreb et d'Espagne*, trans. E. Fagnan (Algiers: Jourdan, 1901), p. 550; *CFCP*, p. 503 (Alfonso's *fuero* for the refugees). *Razzia* is a Romance adaptation of the Arabic *ghazw* (see above, n. 26).

⁴² The Aragonese Mozarab community was further eroded by Alfonso VII, who courted its members as settlers (see above, n. 35).

Muslim domination of the Ebro and its demise

On the other hand, Jewish society in the *Thaghr*, as throughout al-Andalus, certainly thrived. Arab geographers characterized Tarragona as a “city of Jews,” while the community of Zaragoza was significant enough to attract converts, such as the unscrupulous entrepreneurial ninth-century German cleric Bodo.⁴³ In 839 Bodo departed the Rhineland with a group of pilgrims, ostensibly for Rome. The trip took an unscheduled turn, however, when the deacon conveyed them instead to al-Andalus, where he sold them as slaves and himself converted to Judaism. Settling in Zaragoza as “Eleazar,” he then carried on a vitriolic polemic with St. Eulogius by correspondence.⁴⁴ Two centuries later, many of the refugees of the pogrom of Granada (1066) also came to the Ebro, which had a lively Jewish intellectual community under the patronage of the Tujibids and Banū Hūd.⁴⁵ Like Christians, Jews enjoyed positions of influence in the administration, the best-known courtier being Abū ‘l-Faḍl b. Ḥasḍay, who served al-Muqtadir, al-Mu‘tamin (1081/82–83/84), and al-Musta‘in II (1083/84–1110), eventually converting to Islam himself.⁴⁶ As elsewhere in the peninsula, local Jewish culture was profoundly penetrated by Arabic influences; such was the extent of this cultural saturation that it was still recognizable in the fourteenth century, after nearly two hundred years of Christian domination.⁴⁷

Religious and cultural blurring

The details of any process of cultural transformation are elusive, and thus the nature of the conversion to Islam of the people of the Ebro Valley is difficult to perceive. Here, any tendency towards syncretism would have been further encouraged by the intimate and varied contact which the people of the region maintained with neighboring Christian communities. But in this sense the *Thaghr* was typical of rather than unique to the Islamic world, wherein many regions bordered on or were inhabited by peoples with strong Christian traditions (e.g. Syria, Egypt). Therefore, notorious reports of Andalusis as heavy drinkers, for example, should not be construed as an indication of a particular debility of Islam in al-Andalus

⁴³ E. Fagnan, *Extraits inédits relatifs au Maghreb (géographie et histoire), traduits de l'arabe et annotés* (Algiers: J. Carbonel, 1924), pp. 97–98. For Tarragona, see *ibid.*, p. 98, and al-Idrīsī, *Kitāb nuzhat al-mushtāq fī-ikhtirāq al-‘āfāq*, 2 vols. (Cairo: Maktabāt al-Thaqāfa al-Dīniyya, 1990), II, p. 734.

⁴⁴ Colbert, *The Martyrs of Cordoba*, pp. 150–153.

⁴⁵ J. Bosch Vila, “El reino de taifas de Zaragoza: algunos aspectos de la cultura árabe en el valle del Ebro,” *Jerónimo Zurita. Cuadernos de historia* 10–11 (1960): 27–28.

⁴⁶ M. Grau Monserrat, “Contribución al estudio del estado cultural del Valle del Ebro en el siglo XI y principios del XII,” *Boletín de la Real Academia de Buenas Letras de Barcelona* 27 (1957–1958): 248.

⁴⁷ See J. Riera i Sans, “Antroponimia masculina dels Jueus de Lleida, l’any 1315,” *Societat d’Onomàstica, Bulletin Interior* 85 (June 2001): 4–5.

or the Furthest March.⁴⁸ Nor is evidence of cultural borrowing, such as Muslims' limited adoption of the Christian calendar and holidays, an exclusively Andalusī phenomenon – throughout the *dār al-Islām* the lunar calendar was supplemented by local solar calendars, which were more useful for agricultural and navigational purposes. Cultural blurring can be observed across the medieval Islamic world, where Muslims celebrated popular Christian holidays sometimes with the sponsorship of their leaders, despite the fact that such fraternisation was generally opposed by the *ʿulamāʾ*.⁴⁹

In the earliest period of Muslim domination of Iberia there is evidence of extensive interaction, attested to by shared cemeteries and churches, bilingual coinage, and the continuity of late Roman pottery types.⁵⁰ Further, in the peninsula the conquerors did not settle in *amṣār* (sing. *miṣr*), the self-contained and deliberately isolated city-camps (like al-Fuṣṭāṭ at Babylon-in-Egypt) set up along side existing settlements elsewhere in the *dār al-Islām* with the intention of protecting Arab settlers from corrupting indigenous influences.⁵¹ Settling in existing towns, immigrants to Spain would have been drawn into broad contact with natives. ʿAbd al-Raḥmān I's (756–788) policy of allowing the ethnic Arab politico-military elite to practise agriculture would have further encouraged economic and cultural contact and cohesion.⁵² Further to this, the *convivencia* of foreign and native elements – fostered by intermarriage and contact in day-to-day commerce and social life – would have stimulated acculturation and drawn Iberian Christians towards Islam.

The tendency towards syncretism would also have affected Islamic beliefs. In medieval Islam (as in Christianity and Judaism), doctrinal orthodoxy was very much an urban phenomenon, whereas the society of the time was overwhelmingly rural. Analogies to the situation of the Ebro region may be drawn from the later Ottoman frontier in the Balkans, which was in many ways similar. There, for example, Turcified Bosnians read the Gospels as well as the Qurʾān, and drank wine even in Ramaḍān. In many areas, we are told, “double faith was the norm,”

⁴⁸ P. Chalmeta Gendron, “El concepto de tagr,” in *La Marche Supérieure d'al-Andalus et l'Occident chrétien* (Madrid: Casa de Velázquez, 1991), pp. 26 and 27.

⁴⁹ Some Fatimid Caliphs sponsored Coptic religious festivals: S. J. Staffa, *Conquest and Fusion. The Social Evolution of Cairo A. D. 642–1850* (Leiden: Brill, 1977), p. 68. For pious reactions see the *fatāwā* in Lagardère, *Histoire et société en Occident musulman au moyen âge*, pp. 476, docs. VIII: 55 and 56 and 477, doc. VIII: 58. *ʿUlamāʾ* (sing. *ʿālim*) is the general term for learned pious Muslims.

⁵⁰ Glick, *From Muslim Fortress to Christian Castle*, p. 43.

⁵¹ *Miṣr* place names do appear in the south of Valencia, but this does not entail that these places functioned as *amṣār*. See C. Barceló Torres, *Toponímia aràbiga del País Valencià. Alqueries i castells* (Xàtiva: Ajuntament, 1983), p. 178; J. Torres, ed., *Repartimento de Orihuela* (Murcia: Academia Alfonso X el Sabio, 1988), pp. 91 and 93ff; thanks to Thomas Glick for the reference.

⁵² Makki, “Ensayo sobre las aportaciones orientales en la España musulmana,” p. 108.

Muslim domination of the Ebro and its demise

and Muslims hedged their metaphysical bets through the use of Christian sacraments.⁵³ The permeability of the frontier of the *taifa* kingdoms in terms of religious influence can be seen in a figure such as “Lope filio de donna Pura,” a Navarrese who converted to Islam in 1077.⁵⁴ Indeed, the subtle complexities of religious conversion can only be understood if the phenomenon is examined as a part of a broad process of cultural and social transformation, through the adoption of linguistic, social, and familial, as well as administrative and theological, norms. Each of these in turn will now be examined.

LANGUAGE AND CUSTOM IN THE ISLAMIC EBRO

Arabic is held by Muslims to be the language by which God directly revealed his message through the Prophet Muḥammad, a tenet which forms the basis for its inseparability from Islam as a faith. Indeed, it occupies a place of privilege and primacy which no language enjoys in Christian theology. Latin, for example, was not a revelatory language and its association with the canon was based on its popular currency as the “vulgate” in the Roman Empire, rather than theological prestige. Due to Arabic’s inseparability from the faith, the conquerors’ language tended to dampen or extinguish the indigenous tongues in its path, as the waves of Islam washed over the cultures of the Middle East. Aramaic in Syria and Coptic in Egypt were all but swept away, while Persian and the Berber languages of the Maghrib survived as vernaculars. In fact, given the place of privilege held by Arabic, the index of linguistic adaptation in the Ebro can serve as a general indicator of acculturation.

Arabic as the language of al-Andalus

In al-Andalus the numerical inferiority of the Arab settlers was offset by their great social influence, political power, and cultural dynamism, and did not present an obstacle to the implantation of Arabic as the vernacular. Hence, as early as the ninth century, the Christian polemicist Petrus Alvarus of Córdoba famously lamented the decline of spoken Latin among local Christians.⁵⁵ Looking back on Andalusi society, al-Maqqarī

⁵³ H. T. Norris, *Islam in the Balkans: Religion and Society between Europe and the Arab World* (London: Hurst, 1994), p. 17.

⁵⁴ A. Durán Gudiol, ed., *Colección diplomática de la catedral de Huesca*, 2 vols. (Zaragoza: Instituto de Estudios Pirenaicos, 1965), 1, p. 57, doc. 40.

⁵⁵ Petrus Alvarus, “Indiculus luminosus,” in *Corpus Scriptorum Muzaribicorum*, 2 vols. (Madrid: Instituto ‘Antonio de Nebrija’, 1973), 1, p. 314. Even eighth-century Christian works evince an impressive familiarity with Arabic culture. See, for example J. López Pereira, *Crónica mozárabe de*

Thaghr and taifa

states without reservation that the language of Christians and Muslims alike was Arabic.⁵⁶ The argument for Arabic linguistic domination is strengthened by the fact that Muslim sources make no reference to non-Arabophone Andalus, even in the frontier regions. Indeed, the language seems to have exercised a fascination in neighbouring Christian lands, and it was perhaps the cultural prestige attached to it that led Pedro I of Aragon to habitually sign documents as “بتر ابن شانجه” (“Bitr b. Shānja”).⁵⁷

But language is a marker, and it would be rash to equate its spread with that of Arabic culture in general. From the thirteenth century Mameluke Egypt was ruled by individuals who generally spoke no Arabic, and in al-Andalus some early *taifa* kings were non-speakers.⁵⁸ But in the case of the *Thaghr*, evidence of the penetration of Arabic across the breadth of the socio-economic spectrum is supported by its persistence in the Christian period, after the bulk of the Islamic elite had departed. The cathedral archives of Zaragoza, Tudela, and Huesca each contain documents in Arabic dating from the eleventh through thirteenth centuries, relating to small-scale land exchanges involving “common” individuals.⁵⁹ Further proof of the survival and continued use of Arabic in this region through the fifteenth century leaves no doubt that it had been the language of the inhabitants of the *Thaghr* for centuries. In the face of the overwhelming evidence to the contrary, exceptional documents which refer to an apparent deficiency of Arabic, such as a charter of 1297 in which Jaume II laments not being able to find an Arabic scribe in Lleida, cannot be interpreted as indicative of the decline or debility of the language.⁶⁰

Berber influence

The Berbers who crossed the Straits as a result of the Islamic expansion also carried their language and customs with them. Far more than Arabs, Berbers maintained contact with their homeland, a trend best observed in the history of the Banū Zīrī in the South. During their stay in the

754 (Zaragoza: Facsimil, 1980), p. 73, chaps. 55ff. In the *Crónica mozárabe* the practice of dating events by the *hijra* as well as the *era* illustrates the penetration of Arabic culture, also reflected in the work of the tenth-century bishop and courtier Rabīʿ b. Zayd (Reccemund): see Rabīʿ b. Zayd, *Le calendrier de Cordoue* (Leiden: Brill, 1961).

⁵⁶ al-Maqqarī, *History of the Mohammedan Dynasties in Spain*, 2 vols. (London: Johnson Reprint Co., 1890–1897), I, p. 142. While the work of this seventeenth-century author (d. 1632) is a digest, his observation suggests that he did not encounter evidence to the contrary.

⁵⁷ “Pedro, son of Sancho” takes the form of the typical Arabic patronymic, but native Christians writing in Latin and Romance also used such name forms. Pedro’s Arabic signature probably functioned as a cipher.

⁵⁸ Such was the case with the Banū Zīrī of Granada, at least through the reign of Bādīs b. Ḥabūs (1038–1073).

⁵⁹ See below, Part Two, Chapter Five, p. 242. ⁶⁰ ACA, C., reg. 108, f. 186r (1 August 1297).

Muslim domination of the Ebro and its demise

peninsula, which lasted through to the eleventh century, family members continued to move between Africa and Iberia, sharing in the life of their clan as a whole.⁶¹ But Berber immigration was not limited to soldiers and seekers of fortune; a fairly constant current of arrivals resulted in a numerically significant and diverse Berber population distributed throughout the peninsula. The precise volume of such immigration and its role in shaping Andalusi society, however, are hotly debated by historians who, for lack of conclusive evidence, frequently rely on tenuous, inductive arguments to supplement the rare documentary references.

One barometer of Berber immigration to the various parts of al-Andalus may be the role they played in the *taifa* kingdoms after the fall of the Caliphate. In the south, Maghribī clans founded kingdoms, but in the north they do not seem to have taken any leading political role. But their lack of political protagonism in the Ebro region is not necessarily indicative of a low index of settlement. A distinction must be drawn between early waves of settlers, which favored the March, and later ones, which concentrated in the South.⁶² Their relative lack of political influence in the March reflects immigration which consisted of a productive population rather than bands of warriors. Unfortunately, Arabic chroniclers were not interested in recording the settlement of “ordinary” Berbers in the peninsula, nor does the Christian documentation reveal anything in this regard. As it happened, immigration to the Ebro from Granada and North Africa continued under Christian rule, and may have acted to sustain whatever remained of Berber culture here.

The use of place names as indicators of Berber presence offers possibilities for gauging Maghribi settlement, and has been practiced extensively by Guichard. In addition to “Banū-” names, which may indicate tribal or clan-based settlement, names derived from Berber tribal groups, such as Sinḥāja, Zanāta and Hawwārī, or referring to weekly market-days are pointers.⁶³ However, toponymical arguments are undermined by the fact that Arabic and Berber-sounding place names are found in settlements which clearly pre-date the Islamic presence or which were never settled at all by Muslims.⁶⁴ Obviously toponymical evidence should be interpreted with care. As for the Ebro region, “Banū-” and other Maghribian place

⁶¹ E. Lévi-Provençal, *Mudhakkarāt al-Amīr ‘Abd Allāh* (Cairo: Dār al-Ma‘ārif, 1973), p. 18. The Jews of Lucena invited the Zirids to rule them; their *taifa* of Granada endured up to an Almoravid coup in 1090.

⁶² See Ṭāha, *The Muslim Conquest and Settlement of North Africa and Spain*, p. 174.

⁶³ Guichard uses toponymy as a starting point in his investigation of Berber social structures: P. Guichard, “La société rurale valencienne à l’époque musulmane,” *Estudis d’Història Agrària* 3 (1979): 43 and 42.

⁶⁴ See Guichard, *Al-Andalus*, p. 314, and Corriente, “Toponimia hispano-àrabe en Aragón,” p. 78 and *passim*, for toponymical caveats.

Thaghr and taifa

names appear, but do not dominate.⁶⁵ Miknāsa, for example, is an obviously Berber root which is found in several locales (e.g. Mequinenza), and there are many examples of “Banū-” names in the Jalón area.⁶⁶ Other Berber-based toponyms of Tunisian origin can be found in the regions of Tortosa and Lleida.⁶⁷

Toponymical controversies aside, there was undoubtedly significant Berber settlement in the *Thaghr*, particularly in the area around Teruel and north towards the Ebro. Glick’s corollary, that these settlers spoke Berber (as well as Arabic), seems well founded, although there is no hard evidence of Berber monolingualism in the *Thaghr*, either in Arabic sources or in the documents of the eleventh century. Given that Berber settlement here originated with the conquest itself and was renewed only gradually, it is most likely that arriving groups would have lost their language as they were submerged in the developing Andalusī identity, particularly given that Berber language was strictly vernacular and that their settlements did not exist in isolation vis-à-vis their neighbors or necessarily maintain strong contacts with the Maghrib.

A multilingual society

Given the diverse cultural make-up of the *Thaghr* and of the Christian territories on its borders, the most likely linguistic scenario is that of a broad and varied multilingualism (including Arabic, Berber, Hebrew, Latin, and Romance vernaculars).⁶⁸ However, as most contemporary authors did not go to great lengths to record anthropological observations of this type, recourse must be had to anecdote. In fact, eleventh-century accounts of Christian–Muslim military encounters record incidents which support this contention. For example, at the battle of Graus (1063) the Muslim soldier who infiltrated the enemy Christian camp and assassinated “Ibn Rudmīr” (Ramiro I, 1038–1063) in his own tent spoke the Christians’ language and was able to pass unnoticed among them.⁶⁹ And even in the more thoroughly Arabized South, Romance survived beside Arabic as a vernacular, despite Alvarus’ lamentations. Thus, a Cordoban *fatwā* of the

⁶⁵ P. Guichard, *Toponimia y geografía musulmana de Valencia* (Zaragoza: Anubar, 1979), p. 14.

⁶⁶ Guichard, *Al-Andalus, islámica en occidente*, pp. 309 and 437. Mequinenza was Roman “Octogesa.”

⁶⁷ Glick, *From Muslim Fortress to Christian Castle*, p. 33.

⁶⁸ Bilingualism and multilingualism are not common, irrespective of social or educational strata. Evidence of linguistic blurring in this region can be seen in documents written in the decades following the conquest, an era from which sales charters in Hebrew–Arabic *aljamiado* have survived. See J. Bosch Vila, “Referencias a moneda en los documentos árabes y hebreos de Aragón y Navarra,” *Estudios de Edad Media en la Corona de Aragón* 6 (1956): 229–246.

⁶⁹ al-Turtūshī, *Strāj al-mulūk*, 2 vols. (Cairo: Dār al-Miṣriyyāt al-Bināniyya, 1994), II, p. 700.

Muslim domination of the Ebro and its demise

late-eleventh/early-twelfth century refers to a Muslim in the countryside who had been accused of reciting the *sūrat Yūsuf* in Romance and blaspheming against the Arabic language.⁷⁰

Further, there is little evidence that Muslim savants of the *Thaghr* reacted against Christian language or heritage. They did not go to the length of adopting false genealogies, and biographical dictionaries unashamedly record '*ulamā'* with *kunan* (sing. *kunya*) and *nasab* of Romance and Latin origin.⁷¹ Indeed, the *faqīh* Abū Muḥammad 'Abd Allāh b. Hārūn al-Lāridī ("of Lleida") is said to have written *kharijas* in Romance.⁷² Bilingualism, along with the affinity of the *Thaghri'ulamā'* for Romance culture, may have contributed to the dim view which Ibn Bassām took of al-Andalus, which he described as "quite removed from the influence of Arab traditions" – an opinion not reflected in other contemporary writings.⁷³ Alongside monumental figures such as Rodrigo Diaz "el Cid" and the Mozarab Count Sisnando Davídez, lesser Christian personages whose lives straddled the vague and fluctuating frontier undoubtedly had some facility in Arabic.⁷⁴ Typical of these lesser-known but undoubtedly ubiquitous characters was Ramiro de Bolea, an ally of Ramiro I bilingual in Arabic and Romance.⁷⁵ And, if Ibn Ḥayyān's account is accepted, the Basque soldier of al-Muqtadir who attempted to kill the latter's brother during a parley in 1058 must also have been an Arabic speaker, close as he was to the "*hājib*" of Zaragoza.⁷⁶ As for bilingualism among the humbler classes, this must be inferred for, as in other matters, these people seldom caught the attention of chroniclers. It seems, however, that even simple Muslim farmers communicated with Christians with little difficulty in the immediate wake of the conquest. For example, a document of 1149 which records the donation of water-rights

⁷⁰ Lagardère, *Histoire et société en Occident musulman au moyen âge*, p. 65, doc. 1: 246.

⁷¹ See F. Codera, "Apodos o sobrenombres de moros españoles," in *Mélanges Hartwig Derenbourg* (Paris: E. Leroux, 1909), pp. 322–334. The biographical dictionary genre arose out of the practice of establishing the authenticity of alleged Islamic traditions through the establishment of a chain of authorities (*isnād*) who had transmitted the tradition (*hadīth*) in question. Bulliet's quantitative study on conversion is based on such sources. *Kunan* (sing. *kunya*) are filionymic surnames (e.g. Abū Muḥammad); for *nasab* see below, p. 42.

⁷² Lladonosa, *Història de Lleida*, 1, p. 84. The very structure of *muwashshah* poetry is emblematic of the bilingualism of erudite Muslims. A *faqīh* (pl. *fuqahā'*) is a specialist in religious law.

⁷³ O. R. Constable, *Trade and Traders in Muslim Spain: The Commercial Realignment of the Iberian Peninsula, 900–1500* (Cambridge University Press, 1994), p. 7.

⁷⁴ See, below, pp. 76ff., for 'el Cid' and Sisnando. Chronicles refer in passing to "Don Pero Ançures," an Arabic-speaking Castilian nobleman. (COR, p. 296).

⁷⁵ A. Durán Gudiol, *De la Marca Superior de al-Andalus al reino de Aragón, Sobrarbe y Ribagorza* (Huesca: Caja de Ahorros y Monte de Piedad de Zaragoza, Aragón y Rioja, 1975), p. 171.

⁷⁶ A. Turk, *El reino de Zaragoza en el siglo XI de Cristo (V de la Hégira)* (Madrid: Instituto Egipcio de Estudios Islámicos en Madrid, 1978), p. 80.

Thaghr and taifa

in Bruñén by “Don Gomiz Godin” and his wife Maria to the Temple is attested exclusively by Muslims.⁷⁷ The small-scale trade which peasants undoubtedly engaged in, along with the dynamic of captivity and negotiation, provided further forums for contact and opportunities for communication across the frontier.

FAMILY AND SOCIETY IN THE THAGHR

The nature of Muslim social and family structures in the north of the peninsula is the subject of a debate which in simple terms may be described as a disagreement between those who subscribe to the Arab/Berber social model proposed by Guichard, and others who favor an “Occidental” structure.⁷⁸ Here the “Oriental” family is defined as agnatic, endogamous and segmentary, characterized by the marriage of male clan members to in-group women (ideally paternal cousins), and by the severance of the female line in the case of out-group marriages.⁷⁹ The dominant family unit is the clan or extended family, rather than the nucleus of the married couple; authority is shared among cousins, with the eldest of this wide group normally holding the pre-eminent position.⁸⁰ As in debates regarding language, however, the scarcity of documentary references has meant that arguments in favor of or against the existence of these structures in Iberia have depended heavily on inference. Recently, thanks to archeological studies of irrigation works and rural settlements which seem to reflect a tributary society manifesting “Oriental” patterns, the “Guichard school” has enjoyed a decided advantage, but the truth undoubtedly evades any simple generalisations.⁸¹

As was the case with language, the quantitative handicap resulting from the relative numerical inferiority of the invaders and immigrants was offset by the sophistication and cohesiveness of their social and family structures, and the impact of the culture and technologies which they brought. It is no longer accepted (as was once assumed) that the invaders comprised a horde of frisky male soldiers who eagerly married local Christian girls

⁷⁷ AHN, Cod. 595b, no. 171 (July 1149).

⁷⁸ See P. Guichard, “Quelques remarques à propos de l’oeuvre de R. I. Burns,” *Revista d’Història Medieval* 1 (1990): 217–224; and R. I. Burns’s “Historians’ Battlefields: The ‘Continuist’ Paranoia,” part of “Muslim–Christian Conflict and Contact: Mudéjar Methodology,” 1–51, in *Muslims, Christians, and Jews in the Crusader Kingdom of Valencia: Societies in Symbiosis* (Cambridge University Press, 1984), pp. 17–20.

⁷⁹ See, for example, Guichard, “La société rurale valencienne à l’époque musulmane,” p. 48.

⁸⁰ This basic schema is subject to regional cultural variations. Neither pre-Islamic Arabia nor post-Islamic Berber society were uniform, and in both there were matrilineal clan and family structures.

⁸¹ The archeological evidence regarding “*hişn/qarya*” complexes is discussed below.

Muslim domination of the Ebro and its demise

and were thus rapidly acculturated to local norms.⁸² In fact, it was the early indigenous converts who formally attached themselves to Arabo-Islamic tribal and clan family structures and not the reverse. This is not to say that Islamic social models obliterated existing structures, or that they necessarily extended through every stratum of society. But they would have certainly been current with immigrant groups and seem to have been adopted at least outwardly by converts who participated in Islamic religious and political elites. The adoption of these structures by the elite can be observed not only in the period immediately after the conquest, when the likes of the “family of Cassius” became the “Banū Qāsi,” but even five centuries later among the Banū Ḥudayr of Christian-dominated Crevillente.⁸³

On the other hand, if certain political struggles in early al-Andalus seem to have followed clan or tribal lines, the role of tribalism which historians have traditionally attributed to early Andalusī schisms seems overstated. Ṭāha argues convincingly that the early civil wars of al-Andalus have been misinterpreted as extensions of the great tribal rivalry of the Yamanīs and Qaysīs of the Middle East. The *fitna* (“civil war” or “strife”) precipitated by the arrival of Balj, for instance, pitted an array of Levantine newcomers against early settlers of various tribes.⁸⁴ In spite of the language of tribal conflict which contemporary chroniclers used to describe these struggles, their actual causes were undoubtedly grounded in local circumstances. Nevertheless, the fact that practical alliances involved groups which were agnatically linked shows that such family types were current, even if the origins of the conflicts were not rooted in issues of identity. In the March, the feud between Banū Mundhir and the Banū Dhi ‘l-Nūn (936/7), and

⁸² This theory, encapsulated by García y Bellido, has no basis in fact, and is further suspect, smacking of the pejorative image of the Muslim invader as a lascivious *raptor*. See A. García y Bellido, *La península ibérica en los comienzos de su historia* (Madrid: Istmo, 1953), p. 59. In fact, it was more usual for armies of the time to travel *with* womenfolk see P. Guichard, “Social History of Muslim Spain,” in *The Legacy of Muslim Spain*, ed. Salma Khadra Jayyusi (New York: Brill, 1992), p. 683; cf. Ṭāha, *The Muslim Conquest and Settlement of North Africa and Spain*, p. 193. Generally, arguments based on “blood pool” run the risk of reifying debatable and imprecise categories such as “race,” and of flirting with pseudo-scientific notions of a relationship between genetics and culture. See, for example, the speculations of F. Maíllo Salgado in “Guerra y sociedad a fines del s. XI,” in *De Toledo a Huesca. Sociedades medievales en transición a finales del siglo XI (1080–1100)*, ed. C. Laliena and J. F. Utrilla, (Zaragoza: Institución “Fernando el Católico,” Universidad de Zaragoza, 1998), p. 18, n. 15.

⁸³ See P. Guichard, “Un seigneur musulman dans l’Espagne chrétienne: le «ra’is» de Crevillente (1243–1318),” *Mélanges de la Casa de Velázquez* 9 (1973): 322–323. The Banū Qasīm of Alpuente (near Albarracín), a converted family, claimed a Yamanī/Fihri tribal affiliation as late as the eleventh century: M. J. Viguera Molins, *Los reinos de Taifas y las invasiones magrebies (al-Andalus del XI al XIII)* (Madrid: Mapfre, 1992), pp. 71–72.

⁸⁴ Ṭāha, *The Muslim Conquest and Settlement of North Africa and Spain*, p. 214–218.

Thaghr and taifa

events in 889/90, which included the struggle between the Banū Tujīb and the Banū Qāsī and Ismā‘īl b. Mūsā’s sally with his “cousins” (*bani ‘ummihū*) against Muḥammad ibn Lubb are examples of struggles which had a clan-oriented dimension.⁸⁵

The “Oriental” family

Clearly, the dominating Arab families of the *Thaghr* (such as the Banū Tujīb and the Banū Hūd) maintained “Oriental” family structures. Likewise, judging by the names which appear in contemporary biographical dictionaries, many *‘ulamā’* maintained this system as a model. But the picture is less clear as regards the middle and lower classes, which are precisely these groups which are of most concern to the present study, given that they were the most likely to stay on under Christian rule. Attempts to investigate this aspect of *Thaghrī* society, however, are frustrated by the absence of sources and must depend almost entirely on documentation dating from immediately after the Christian conquest.

One possible index of the currency of clan structures is the *nisba* (pl. *nisab*): that component of an Arabic name which normally refers to tribal affiliation (e.g. ‘al-Qurayshī’ = “of the Quraysh tribe”) or geographic origin. According to Geertz, the *nisba* differs from a proper surname in that it is not fixed, but is a context-relative descriptor evoked in circumstances where it can distinguish its bearer from other individuals in a given milieu.⁸⁶ It is very difficult to determine whether “ordinary” people of the March employed tribal or clan *nisab*, and a review of the documentation of the period immediately after the conquest is not promising. The various grants, exchanges, and leases which Christian authorities established with local Muslims (predominantly farmers and tradesmen) in the late-eleventh and twelfth centuries do not yield any significant proportion of names which could be *nisab*.⁸⁷ Such evidence is not conclusive, however, given the relational nature of this type of name. Names which resemble tribal *nisab* crop up in Christian-era documents, but it is not clear whether they functioned as such in an “Oriental” sense or were merely

⁸⁵ Al-‘Udhri, *Nuṣūs ‘an al-Andalus*, pp. 50, 41 and 34.

⁸⁶ The *nisba* developed as a solution to identity on the symbolic level, “relating men to their contexts” by then relating the *nisba* to other *nisab*. See C. Geertz, *Local Knowledge. Further Essays in Interpretive Anthropology* (New York: Basic Books, 1983), pp. 65–66.

⁸⁷ Muslims are referred to almost exclusively by patronymics in Christian documentation. Possible *nisab* which are preceded by the article “al-” rather than by ‘ibn- appear infrequently (cf. C. Laliena Corbera, “La antroponimia de los mudéjares: resistencia y aculturación de una minoría étnico-religiosa,” in *L’Anthroponymie. Document de l’histoire sociale*, ed. M. Bourin et al., Rome: École Française de Rome, 1998, especially pp. 149–51).

Muslim domination of the Ebro and its demise

formal, fixed surnames.⁸⁸ Further, the infrequent appearance of *nisab* in the records may merely be a function of the documentation which has survived. These are for the most part agreements with Christian parties, a context in which the traditional Arabo-Islamic name structure would have no relevance. Thus, twelfth-century Arabic-language charters from Zaragoza feature several Arabic names with tribal *nisab*, whereas contemporary Latin documentation does not.⁸⁹ And if an apparent decrease in the use of *nisab* can be detected from the eleventh century forward, this apparent decline would reflect both the effects of acculturation and a shift to a dominant cultural paradigm, rather than a transformation of Muslim family structures.⁹⁰ Indeed, looking at Latin documents of the 1200s, one sees the transformation of geographic *nisab* into surnames, as with the Alborgi (“al-Burjī”) family who used their surname even while living in Borja (in which case a *nisba* would not be used).⁹¹ And while a list of Muslim stall-holders in the market of late-thirteenth century Zaragoza contains many possible *nisab*, names like “de Monçon,” and “de Tudela” (corresponding in Arabic to “al-Munsūni” and “al-Tuḥlīlī”), these may have functioned in Romance or Latin either as simple descriptors or as fixed surnames, or in Arabic as *nisab*.⁹²

The *ansāb* (sing. *nasab*), or Arabic “ibn-” (“son of”) patronymic, extended generically under the “Banū” designation to describe a relation to a wider family group, is another possible marker of Berber and Arabic family organization. But while Muslims of the post-conquest March are frequently referred to as “ibn-” so-and-so (“filius” in Latin), there are few instances where the name cannot be interpreted as a simple and literal patronymic. No documentary references to “Banū” so-and-so, a more promising indicator of tribal or clan consciousness, were encountered in the research conducted for this study.⁹³ There are numerous references to the “filios” of so-and-so, and while this may be a translation of “Banū,” it may also be a simple literal reference. Thus, mentions of the houses of the “filios” of Aben Homet (Belchite, 1154) or property of the “filii” of Abin Sila in Aranda (1140) appear promising, but cannot be proved to refer to

⁸⁸ E.g. *Abraym filium Dabdella de Halleli (=Hillālī?) in Huesca*. ACA, C., reg. 91, f. 53r (16 March 1290).

⁸⁹ R. García de Linares, “Escrituras árabes pertenecientes al archivo de Ntra. Sra del Pilar de Zaragoza,” in *Homenaje a D. Francisco Codera* (Zaragoza: Mariano Escar, 1904), pp. 178, doc. 5, and 182, doc. 8.

⁹⁰ See Bosch, “Referencias a moneda,” *passim*. This sample set involves only one type of document and is numerically too small to draw such a conclusion with any certainty.

⁹¹ See, for example, ACA, C., reg. 253, f. 22v (23 July 1279).

⁹² P. de Bofarull y Mascaró, *El registro del Merino de Zaragoza, el caballero Gil Tarín, 1291–1312* (Zaragoza: Hospicio Provincial, 1889), pp. 19–22.

⁹³ A reference to the “*filios* Aiumladron” in the twelfth century (see p. 113) is a possible example.

agnatic family groups.⁹⁴ As evidence of traditional endogamous family structures, their currency is undermined by other parallel references to the daughters (“filias” of so-and-so), casting doubt on any suggestion that the “filios” references are anything more than simple descriptors.⁹⁵

Shared land ownership among family groups was not uncommon among Muslims in the lands of the Ebro, but was restricted for the most part to immediate family members. For example, the Monastery of Veruela acquired fields from Juzafe and Zalema, described as “*filios* Almaidí,” and their mother Xemçi in 1169, and documents from 1151 refer to the *mansiones* of Abinalfazar and his wife, and to vineyards at Xerta which belonged to Abderramen and his mother.⁹⁶ Similarly, a mill in Huesca was sold in 1099 by Abdella filius Abderramen, his wife Ehiela, his son Muça Aiatam, and his daughters, Almuncia and Teci.⁹⁷ A charter dating to 1187 of the monastery of Veruela refers to a family group headed by Alii, the son of Eiça Cauçala, which included his siblings and their children. This is a promising lead, but the mere presence of an extended family such as this in the document does not constitute conclusive proof of an agnatic family structure.⁹⁸ Similarly, in a much later grant of lands in Grisén by the Hospital to a family of settlers, Cayt Alaucari is cited as the representative of a group which includes his brothers and their children, but whether he is acting as an “Oriental” *ra’īs* or an “Occidental” *paterfamilias* is not clear.⁹⁹ Nor is later Aragonese documentation which refers to marriages between first cousins conclusive sufficient evidence to deduce the currency of endogamous family types among Aragonese *mudéjares*.¹⁰⁰

Communally owned property might provide evidence of the currency of “Oriental” family structures, but unlike the later *Llibres de repartiment* (Cast. *Libros de repartimiento*) which were compiled in the wake of the thirteenth-century conquests, the documents of the Ebro region give

⁹⁴ L. Rubio, *Los documentos del Pilar. Siglo XII* (Zaragoza: Institución “Fernando el Católico,” 1971), p. 57, doc. 67; *CODOIN*, IV, pp. 69–70, doc. 31.

⁹⁵ For example, A. Virgili, *Diplomatari de la catedral de Tortosa (1062–1193)* (Barcelona: Fundació Noguera, 1997), p. 177, doc. 126.

⁹⁶ J. Vispe Martínez, “La fundación del monasterio cisterciense de Veruela y la constitución de su dominio monástico (1146–1177),” *Cistercium* 36 (1984): 348, doc. 65 (1169), reading “Xeniçi” for “Xemçi”; Pons i Marquès, 118–119, doc. 198 (1151) (also 208, doc. 339).

⁹⁷ UZ, CISP, f. 5r (8 May 1099).

⁹⁸ Á. Martín Duque (ed.) *Documentación medieval de Leire* (Pamplona: Diputación Foral de Navarra, 1983), p. 449–50, doc. 13.

⁹⁹ AHN, Cod. 650b, no. 405 (24 January 1277).

¹⁰⁰ Meyerson found two such documents from the fifteenth century: D. M. Meyerson, *The Muslims of Valencia in the Age of Fernando and Isabel. Between Coexistence and Crusade* (Berkeley: University of California Press, 1991), p. 236. Marriage between cousins also occurs in Christian communities, religious prohibitions notwithstanding.

Muslim domination of the Ebro and its demise

no indication of community lands. Nor can the fact that Muslim elders were occasionally called on to demonstrate village boundaries be raised as evidence; the existence of common village “waste” or difficult-to-define stretches of pasture land is another matter, and in any event, Christian elders were called on to make similar depositions.¹⁰¹ Given that apart from mosques and *hubus* property (see pp. 56–65) all of the parcels of land exchanged in the documents of the Ebro region seem to have belonged either to individuals or small, clearly defined family groups (parent–sibling or sibling–sibling), evidence for communal property, one of the main characteristics of tribal social organization, is missing in this region.

Thus, Guichard’s essential characteristics of the “Oriental” family – agnatic and segmentary structures – are not explicitly reflected in the documentation for the middle and lower social classes of the Islamic Ebro. But given the types of sources which have survived, this comes as no surprise. Like Arabo-Islamic personal names, “Oriental” family structures here may have been “soft,” emerging only in certain contexts and not necessarily dominating social intercourse between Muslims.¹⁰² Freedman’s observation regarding Catalan Christian peasants, that “individuals and couples engaged in economic transactions, usually without referring to members of an extended family,” may also be made of Ebro Muslims, and obviously does not preclude the existence of extended family groupings either among Christians or Muslims (each structured according to differing cultural principles).¹⁰³ On the other hand, if agnatic/endogamous structures had been confined to the upper classes, then the effect of the conquest and the resultant emigration of the social group would have gravely undermined the “Oriental” family type among remaining Muslims, both as a model and in practice.

Women and law

Women’s legal status and accepted range of social action can provide another possible barometer of cultural “Orientalization” in the *Thaghr*. Guichard wonders whether the character of upper-class women like Velasquita, the Basque wife of Mutarrif b. Mūsā b. Qāsī (a ninth-century *wālī* of Huesca) is evidence of the prevalence of Occidental-type gender roles. Velasquita counseled her husband to decapitate some of the

¹⁰¹ See below, Part Two, p. 275.

¹⁰² Even today, immigrants commonly adopt names for “public” use within the host society, while maintaining their original names for use within their own group.

¹⁰³ P. Freedman, *The Origins of Peasant Servitude in Medieval Catalonia* (Cambridge University Press, 1991), p. 45.

town's citizens in order to gain the respect of his subjects.¹⁰⁴ But such “women of action” need not trouble historians seeking to establish the existence of Arabo-Islamic social structures in al-Andalus, for they are not symptomatic of the domination of an “Occidental” concept of the role of women in *Thaghr* society. Islam has a long tradition of politically active women, from ‘A’isha (wife of the Prophet), who fought ‘Alī at the Battle of the Camel (656) to Shajar al-Dūrr (d. 1250), whose brief seizure of power in Egypt precipitated the age of the Mamelukes. The economic ventures of the women of the March, as alluded to above, are entirely in harmony with Muslim social norms and consistent with Islamic law as practised generally and in al-Andalus.¹⁰⁵ Other occasional notices confirm that the social restrictions placed by the *sunna* and *sharī‘a* on women were not restricted to the upper classes in the Furthest March. One of the penalties passed on the “bearded lady” of Tudela (امرأة الهالحية) of the caliphal period, who had been discovered masquerading as a man, was that she cease to travel alone unaccompanied by a male family member (ولا تسافر إلا مع ذي محرم).¹⁰⁶ Other indications that “ordinary” Andalusi women lived according to Islamic norms which limited social contact between the genders can be found in Andalusi manuals of *ḥisba* (public morality and market regulation), such as those of al-Jarsīfī and Ibn ‘Abdūn.¹⁰⁷

The post-conquest documentation of the eleventh century, which frequently features independent women landowners, also sheds some light on the status of women in the Islamic *Thaghr*. These women were usually not widows, but married women carrying on their own businesses, often independent of any male authority. For example, Halua, wife of Ceuid fili[us] de Çalema de Abençeuid, exchanged some land with the Abbot of Veruela in 1187 (with her husband's assent), and Mariem, a Hospitaller *exarica*, received a vineyard in Ricla in 1205. In a rather late document (1287), two married women are named as co-owners of a corral, along with an unrelated male.¹⁰⁸ In late thirteenth-century documents, albeit

¹⁰⁴ P. Guichard, *Structures sociales ‘orientales’ et ‘occidentales’ dans l’Espagne musulmane* (Paris: Mouton, 1977), p. 122.

¹⁰⁵ See, for example, various Maghribī *fatāwā* in the collection of al-Wansharīsī, in Lagardère, *Histoire et société en Occident musulman au moyen âge*, e.g. pp. 136, doc. III: 99, 144, doc. III: 144, and 145, doc. III: 153.

¹⁰⁶ Al-Ḥimyārī, *La péninsule ibérique au moyen-âge*, pp. 80–81 (Ar. p. 64); cf. al-Bakrī, *Jughrāfiyat al-Andalus wa-Urūbbā, min Kitāb al-masālik wa ‘l-mamālik* (Baghdad: Dār al-Irshād, 1968), p. 90.

¹⁰⁷ E.g. al-Jarsīfī, “Risālāt ‘Amr Ibn ‘Uthmān Ibn al-‘Abbās al-Jarsīfī fī ‘l-ḥisba,” in *Trois traités hispaniques de Ḥisba* (Cairo: Imprimerie de l’Institut Français d’Archéologie Orientale, 1955), p. 121; Ibn ‘Abdūn, “Risālāt Ibn ‘Abdūn fī ‘l-quḍā’ wa ‘l-ḥisba,” *ibid.*, p. 71. The *sunna* consists of the body of moral opinion based on tradition, whereas the *sharī‘a* is formal Muslim law.

¹⁰⁸ S. Teixeira, “El dominio del monasterio de Veruela: La gestión de un espacio agrario andalusí” (Universitat Autònoma de Barcelona: Doctoral Thesis, 1995), pp. 451–452, doc. 14 (1187); AHN,

Muslim domination of the Ebro and its demise

perhaps too removed from the era of the conquest to be taken as reflections of pre-conquest Andalusi society, Muslim women figure as independent agricultural contractors and as defending their financial autonomy even against their own husbands. Thus, when Muça Daldili of Huesca and her husband were cheated out of a property which they had given as security on a loan from Petrus Valini, it was she who took the case to the royal authorities.¹⁰⁹ Nor did Farchon fili[a] Çayt Alcarneilio hesitate to take her own husband, Abdilmelc filius Mahomat Almonaha, to court when he dared to spend twenty *duplas auri* of her money.¹¹⁰ These cases are consistent with the general principles of Islamic law, in which married women keep control of any private property which they owned prior to matrimony.

The adoption of Muslim personal law, inseparable as it is from Islamic religion, provides further support for the contention that the Furthest March was a thoroughly Islamicized society. A general discussion of the place of Islamic savants and the practice of Islam will follow below; but in the context of the current discussion it is worth remarking that Islam, because of its legislative emphasis, particularly in matters of inheritance and gender issues, is a mighty conduit for informing Islamic societies with Arabic content. Although Islamic law developed as a response to particular social realities in the seventh-century Arabian peninsula, it was converted into a canon by virtue of the *Qur'ān* and *sunna*. Thus, the basic, orthodox Islamic legal position vis-à-vis polygamy, rules of consanguinity in marriage, the rules governing divorce, and the role of a woman in marriage are all reflected in Andalusi legal writings, and can be assumed to have been current in the pre-conquest Furthest March.¹¹¹

Arabic and Berber social structures

In sum, the difficulty of apprehending Arab and Berber social structures in documentary sources is not necessarily a bar to our accepting their currency. Glick's defence of Guichard's position is convincing. If Guichard's model of segmentary social organisation does not require a Berber presence and if we admit that bilateral kinship and patrilineal clan structures are not necessarily incompatible, we can move closer to accepting these

Cod. 650b, no. 494 (28 March 1287); AHN, Cod. 650b, no. 489 (September 1205). *Exarici* were sharecroppers (see below, pp. 181ff.).

¹⁰⁹ ACA, C., reg. 114, f. 183r (22 January 1300).

¹¹⁰ ACA, C., reg. 256, f. 3r (8 January 1298).

¹¹¹ See Lagardère, *Histoire et société en Occident musulman au moyen âge*, passim, and also a later Valencian *mudéjar* legal manual: C. Barceló Torres, *Un tratado catalán medieval de derecho islámico: El llibre de la çuna e xara dels moros* (Córdoba: Universidad de Córdoba, 1989), e.g. pp. 15, sec. 56, 15, sec. 54, 15, sec. 57, 16, sec. 59, as well as 16ff.

postulates for the March.¹¹² I would suggest (in a gentler critique than that of Wasserstein) that Guichard may overestimate the durability of nativized Berber identity in al-Andalus. For instance, his contention that Christian chroniclers actively distinguished between Arabs and Berbers (“Sarraceni” versus “Mauri”) is unsupported by most of the documentation consulted in this study.¹¹³ If the *Crónica mozárabe* picks up on this, it may have been a distinction culled from the Arabic sources which it certainly used.¹¹⁴ Generally, the terms seem to be used interchangeably (along with “Ishmaelites,” “Hagarenes,” and “Chaldeans”) in other literary sources.¹¹⁵ Thirteenth-century archival documents use “Sarracenus” to mean “Muslim” (or *mudéjar*, in any case) almost exclusively. Toward the end of that century “Moro” gained currency as more records came to be written in the vernacular.¹¹⁶

The degree to which Berber forms influenced existing social structures would have been tempered by the transitions Berber society underwent in being transplanted to Iberia. The transition from a society characterized to a large extent by nomadism to one with no true nomadic element must have been traumatic. Certain Berber institutions, such as the rural *qaṣba* settlements, ubiquitous on the eastern slopes of the High Atlas and punctuating the river valleys which stretch out into the Moroccan Sahara, did not make the transition.¹¹⁷ This being the case, a critic may turn Guichard’s and Barceló’s arguments back on themselves and suggest that the social structures dependent on this type of living arrangement did not make the transition to al-Andalus. But the relationship between structures of living and work spaces and social structures is not automatic and, in any event, the coexistence of “Oriental” and “Occidental” systems in the *Thaghr* is not necessarily problematic. Following Pierre van den Berghe, Glick points out that if Berber matrilineal and monogamous structures have coexisted with Arabo-Islamic structures in Morocco until today, there is no reason to assume that pre-Islamic bilateral family structures could not have survived in the March.¹¹⁸ Many immigrant communities in modern Canada, for example, have successfully “assimilated” in terms

¹¹² Glick, *From Muslim Fortress to Christian Castle*, pp. 37 and 58.

¹¹³ Guichard, *Structures sociales ‘orientales’ et ‘occidentales’ dans l’Espagne musulmane*, p. 476.

¹¹⁴ See López, *Crónica mozárabe de 754*, p. 68, doc. 52.

¹¹⁵ See A. Ubieto Arteta (ed.), *Crónica najarense* (Valencia: Anubar, 1966), p. 46–50. The distinction which Guichard remarks on can be observed in thirteenth-century Castilian chronicles, but they serve to differentiate between native Andalusis and foreign Berbers, rather than between Berber and non-Berber Andalusis.

¹¹⁶ The shift can be seen in a Latin letter of 1291 which uses the vernacular form parenthetically, describing two women of Borja as “Sarracenaese seu Morae.” ACA, C., reg. 90, f. 64r (8 October 1291).

¹¹⁷ See Glick, *From Muslim Fortress to Christian Castle*, p. 29. ¹¹⁸ *Ibid.*, p. 58.

Muslim domination of the Ebro and its demise

of public life, but maintain to some degree their own language and social and marriage patterns. Correspondingly, the manifestation of “Eastern” structures in the March may have been a function of social environment and class. Among marginal, rural peoples autochthonous systems could easily have persisted, but as individuals were drawn into urban contexts and into social groups with determined and orthodox beliefs, they may have taken up these structures as part of the process of assimilation. In the March, as generally in Islamic societies, the social boundaries between town and country were permeable and, as we shall see when we turn to the *‘ulamā’*, there was considerable social and geographic mobility. In fact, the fundamental “Arabo-Islamic” identity of *Thaghr* society will become more evident as we proceed to examine in turn learned Islam, the administration and the economy of the March. These discussions will serve to reinforce whatever tenuous conclusions we are prepared to admit regarding Islamic social imprinting in the region.

ISLAM AND LEARNED CULTURE

Religious interpretation in al-Andalus was characterized by a certain conservatism. While it may be true that Andalusī Islam showed a marked openness to individual interpretation of doctrine, on the other hand, from the time of ‘Abd al-Raḥmān I (756–88) it came to be dominated almost exclusively by the Malikī *madhhab*.¹¹⁹ According to Urvoy, the rigor of this brand of legal interpretation acted as a salve for the lack of unity and cohesive identity in al-Andalus.¹²⁰ As for the *Thaghr*, this region was no religio-cultural backwater, in spite of its “frontier” orientation. As Urvoy suggests, the heterogeneous nature of *Thaghr* society and the frequent contacts with Christians and Jews may have been the source of syncretic trends, but was responsible conversely for a current of self-regeneration of Islam here.¹²¹ In fact, a learned Islamic tradition had been implanted in the *Thaghr* in the earliest stages of Muslim domination, effected by savants such as the *qāḍī*, grammarian, poet, and *muḥaddith* Abū ‘l-Qāsim Thābit b. Ḥazm (832–925), who maintained strong contacts with the Muslim East.

¹¹⁹ Makki, “Ensayo sobre las aportaciones orientales en la España musulmana,” pp. 154ff. The Malikī school tends to a certain rigor, and in al-Andalus there was a heavy emphasis on *taqlīd* (“absolute imitation”). See D. Urvoy, “Sur l’évolution de la notion de ḡihād dans l’Espagne musulmane,” *Mélanges de la Casa de Velázquez* 9 (1973): 325. There were four *madhāhib* (sing. *madhhab*; “orthodox school of Islamic law”) in medieval *sunni* Islam. Malikism, the legal school founded on the doctrines of the eighth-century Medinan *imām* Mālik b. Anas, enjoyed near-exclusive popularity in al-Andalus, with some influence from the traditionalist Shāfi‘ī school.

¹²⁰ D. Urvoy, “Une étude sociologique des mouvements religieux dans l’Espagne musulmane de la chute du califat au milieu du XIII^e siècle,” *Mélanges de la Casa de Velázquez* 8 (1972): 239.

¹²¹ *Ibid.*, p. 250.

Thaghr and taifa

He was not exceptional in this sense; the great centers of cult and culture (Mecca, Medina, Baṣra, and Kūfa) continued to attract Andalusī *‘ulamā’* through the *taifa* period. Nor was the current unidirectional: learned Muslims from the East also passed through Zaragoza.¹²² The eleventh-century savant al-Kirmanī found the city to have an atmosphere very conducive to the study of theology and science.¹²³ The movement of *‘ulamā’* between the March and the larger Islamic world guaranteed that the region remained an active partner in the enterprise of Islam, and serves to demonstrate that it did not become isolated or especially vulnerable to heterodoxy.

Across the peninsula, the peripatetic tendencies of Islamic thinkers and the institution of serial *qāḍī*-ships homogenized Andalusī Islam. It was common for jurists to move about throughout their careers, occupying official posts in different regions, and for them the “political” boundaries of Islamic principalities were largely invisible.¹²⁴ In addition, the Islam of the *Thaghr* benefited particularly from the disorder in the South which accompanied the disintegration of the Caliphate, when refugees from the chaos of the heartlands flooded into the politically stable frontier zone.¹²⁵ Among those who settled or passed through the region was the great al-Bāḡī (1012–1081), who spent ten years in the March and, like many of his colleagues, benefited from the general cultural and intellectual *élan* sponsored by the *taifa* court of Zaragoza and its lesser rivals.¹²⁶

The ‘ulamā’ of the Furthest March

If the number of *‘ulamā’* present in a region can be taken as an indication of an area’s Islamicization, the March compares favorably to the rest of the peninsula. For example, for the period from 1029 to 1150 the biographical dictionaries of Ibn ‘Abbār and Ibn Bashkuwwāl list 237 *‘ulamā’* for the *Thaghr al-Aqṣā*, compared to Córdoba’s 559, Sevilla’s 254, Granada’s 126, Málaga’s 76, Almería’s 192, the 342 of the *Sharq al-Andalus* (Valencia-Alicante), 212 in the *Thaghr al-Adnā* (including Badajoz), 239 in the

¹²² J. Bosch Vila, *El oriente árabe en el desarrollo de la cultura de la marca superior* (Madrid: Ministerio de Educación Nacional de Egipto/Instituto Egipcio de Estudios Islámicos, 1954), p. 29. A *qāḍī* is an Islamic magistrate; a *muḥaddīth* is a scholar of the *ḥadīth*, the acts and sayings of Muḥammad (and other early Muslims).

¹²³ *Ibid.*, p. 37.

¹²⁴ For serial *qāḍī*-ships see Glick, *Islamic and Christian Spain in the Early Middle Ages*, pp. 155, 185–187.

¹²⁵ Grau Monserrat, “Contribución al estudio del estado cultural del Valle del Ebro en el siglo XI y principios del XII,” p. 240. Alongside Zaragoza, Toledo was the main beneficiary of this emigration: see Bosch, *El oriente árabe*, p. 31 (many listed on pp. 32–33, n. 3).

¹²⁶ *Ibid.*, p. 44.

Muslim domination of the Ebro and its demise

Thaḡhr al-Wāsiṭ (including Toledo) and 100 of the *Maghrib*.¹²⁷ But even more revealing of religious penetration than the quantity of religious figures is the fact that Islam in the March was not an exclusively urban phenomenon. A major work of the biographical genre, the *Takmila* of Ibn al-Abbār, records the presence of noteworthy savants in lesser towns, such as Huesca, Calatayud, Lleida, and Tortosa, and points out that many came from surrounding villages.¹²⁸ Al-ʿUdhri’s description of Huesca as a town with “in which there were over seventy places of prayer” further confirms the area’s saturation, and other sources indicate that the *ʿulamāʾ* of the zone around the town were educated locally.¹²⁹ The presence of savants and teachers in smaller settlements and local Islamic schools shows that Islamic culture was not confined to one class, nor limited to an ‘Arab’ minority in the great towns. Like the current of learning flowing from the East to al-Andalus and back, the flow between the regional capitals and hamlets preserved the integrity of Islam, ensuring that it expressed the social particularities of the region while maintaining an orthodox posture. And if Islamic theology and Arabic language could be learned in the countryside, the currency of Arabic social norms there seems all the more probable.

The profound penetration of Islam can be seen also in popular manifestations of piety, such as the *ribāʿ*, or “monastery-fortress,” an abode where individual Muslims could temporarily dedicate themselves to actively fighting the infidel and thus fulfil their personal duty of *jihād*.¹³⁰ The fact that many *rubuṭ* were private foundations, rather than military ventures under the direction of the state, further underlines the high level of popular Islamic consciousness in the *Thaḡhr*. Andalusī savants stressed the importance of this service, warning that simply residing in the frontier zone was not sufficient to discharge it. The ninth-century Mālik b. Ḥabīb, for example, said that those who fasted and performed the *murābiṭ* would benefit from a sixty-year “indulgence” – a startling anticipation

¹²⁷ These figures are taken from D. Urvoý, *Le monde des ulémas andalous du V/XF au VII/XIII^e siècle, étude sociologique* (Geneva: Droz, 1978), p. 32.

¹²⁸ *Ibid.*, pp. 62–63, 119–120.

¹²⁹ “**فيها أكثر من ستين مسجدًا**”: al-ʿUdhri, *Nuṣūṣʿan al-Andalus*, p. 55. Contrast this with same author’s opinion (via al-Ḥimyari) regarding the scant Arab presence (see above, n. 8). For education, see M. Fierro and M. Marín, “La islamización de las ciudades andaluzas a través de sus ulemas (s. II/VII – comienzos s. IV/X),” in *Genèse de la ville islamique en al-Andalus et au Maghreb occidental*, ed. P. Cressier and M. García-Arenal (Madrid: Casa de Velázquez/CSIC, 1998), p. 89.

¹³⁰ The earliest *ribāʿ* noted in the March is the tenth-century “ḥisn al-munastīr” or “munastīr al-ʿArabīn” on the Navarrese border: F. Franco, “Ràpites i al-monastir(s) al nord i llevant de la península d’al-Andalus,” in *La ràpita islàmica: Història institucional i altres estudis regionals* (San Carles de la Ràpita: Institut d’Estudis Ràpitencs, 1993), p. 196.

Thaghr and taifa

of Crusade ideology.¹³¹ Al-Bakrī, writing in the eleventh century, characterized al-Andalus generally as a land of *jihād* and of the *ribāt*, and biographical notations recall 'ulamā' of Lleida, Tudela and Tortosa who fought in the *jihād*, some dying in combat.¹³²

On the practical level, such indications that Islam was well established are corroborated by the silence of Muslim authors regarding any notable difference in Andalusi or *Thaghri* ritual. Arab geographers and travelers did not hesitate to mention the (invariably scandalous) local variations of Muslim practice of which they were aware, but there are no such reports in the various descriptions of al-Andalus and the March. Likewise, Ibn Jubayr, an Andalusi who departed in 1183 on pilgrimage to Mecca, showed himself absolutely at home among the Arabic culture of the Levant, although he was shocked by the customs of the Muslims of 'Aydhāb and by the scandalous heterodoxy of the tribes of the Ḥijāz.¹³³ Moreover, a much later Valencian handbook of Islamic law is impressive in its orthodoxy, enjoining Muslims to pray five times a day, observe the fast of Ramaḍān, celebrate the Major and Minor 'Īd, and respect the four accepted *madhāhib*.¹³⁴ A connection between the March and Valencia is more than fortuitous: it was to the Andalusi Levant that many 'ulamā' of the *Thaghr* fled in the wake of the Christian conquests, and thus the subsequent Islamic revival in their new home is testament to the religious dynamism of the Islamic Ebro region.¹³⁵

Social class and the 'ulamā'

That the Muslim savants of the March should be drawn from a broad section of Andalusi society is not surprising, given the role of 'ulamā' in Islamic society when compared to that of the clergy in medieval Christendom. Ordinary believers, for instance, are encouraged to read Arabic

¹³¹ Ibid., pp. 113–14. Regarding Islamic antecedents to Crusade ideology and Military Orders see E. Lourie, "The Confraternity of Belchite, the Ribāt and the Temple," *Viator* 13 (1982): 159–176, and W. C. Stalls, *Possessing the Land. Aragon's Expansion into Islam's Ebro Frontier under Alfonso the Battler, 1104–1134* (Leiden: Brill, 1995), p. 176.

¹³² al-Bakrī, *Geografía de España*, ed. Eliseo Vidal Beltrán (Zaragoza: Facsímil, 1982), p. 39; Fierro and Marín, "La islamización de las ciudades andalusíes," p. 90.

¹³³ For Ibn Jubayr's satisfaction with the Ayyubid religio-political regime of Egypt see Ibn Jubayr, *Rihlat Ibn Jubayr* (Beirut: Dār wa Maktabat al-Hilāl, 1981), p. 32; for 'Aydhāb and the Hijaz, *ibid.*, pp. 34–35, 48–49.

¹³⁴ Barceló, *Un tratado catalán medieval de derecho islámico*, pp. 14, doc. 51; 17–18, docs. 67–69; 3, doc. 48; 42–43, doc. 166. The 'Īd *al-aḥḥa* or "festival of sacrifice" is celebrated on 10 Dhū 'l-Ḥijja, and the 'Īd *al-ḥiṭr* marks the end of the holy month of Ramaḍān. Both are occasions for mandatory public communal prayer.

¹³⁵ Bosch, *El oriente árabe*, pp. 46–47.

Muslim domination of the Ebro and its demise

in order to study the *Qur'ān* first-hand. There is no “clergy” in Islam and no “Church,”: intermediaries and corporate institutions are diametrically opposed to the strict concept of accountability between every individual and the Divine. Hence the general admissibility in Sunni Islam (Shiism did not penetrate the Far West) of no less than four interpretations of the *sharī'a*. With no corporate structure to sustain it, the influence of Islamic savants rests almost entirely on their reputations – a broad consensus which recognizes the validity of his (or rarely, her) interpretation. Formal education or investiture by secular authorities were not necessarily prerequisites for a jurist who commanded popular respect.¹³⁶ In fact, official recognition played a secondary role; and fidelity to the learned tradition ideally demanded the spurning of the honours and rewards of the *sultān*.¹³⁷ Nevertheless, many Islamic jurists and thinkers did pursue or were drawn into political influence; their role will be examined below in the discussion of the structure of Islamic administration in the March.

In order to appreciate the broad background from which the *fuqahā'* emerged, the role of class in Islamic society, which differs strikingly from that of the contemporary Occident, must be appreciated. The fundamental moral responsibility of each Muslim determines that every believer should be essentially free and “equal.” On the other hand, slavery was an important institution and there were even Muslim slaves, but these were normally converts, as technically no believer could lose his freedom. But the dignity bestowed by the grace of one's direct relation with God is reflected in the incredible range of roles which slaves played in Islamic society: from concubine, to agricultural worker, to tradesman, to governor.¹³⁸ Among the free, the broad class distinction of *khaṣṣa* (aristocracy) and *'amma* (masses) was loosely defined, and much more ambiguous than the distinction of noble and peasant in Christian Europe, nor and did it carry vocational restrictions or legal distinctions with it. Other modes of self-identification and social solidarity, such as ethnic and clan-based modes, were simultaneously active, with the result that society was fluid internally and decidedly lacking in well-defined strata. Hence, *'ulamā'* emerged from all social classes, slaves included.¹³⁹

The traditional characterization of medieval society as divided into those who work, those who pray, and those who fight does not hold for

¹³⁶ Al-Sabūnī (d. 988/989), for example, was a soap-maker: M. Marín, “Biographical Dictionaries and Social History of al-Andalus: Trade and Scholarship,” *Scripta Mediterranea* 19–20 (1998–1999): 253.

¹³⁷ See the examples of the Cordovan jurists al-Makwī and Ibn al-Salīm, *ibid.*, p. 255.

¹³⁸ In fact, the place of slavery in Islamic society is similar to that in the classical culture of the Mediterranean and Persia.

¹³⁹ 'Arif of Bajjāna (Pechina) and, later, Mallorca was of Christian (*Ifriqiyy*) origin; he had been captured and enslaved as a boy (*ibid.*, p. 247).

Thaghr and taifa

Islam, in which these three activities were supposed to be undertaken by each member of society (although women were typically excused from the third). In fact, the learned classes were dominated by the towns folk, traders and craftsmen many of whom, as their cognomens indicate, continued to practice their professions.¹⁴⁰ The combination of “bourgeois” interests and religio-social clout formed a considerable counter-balance to “noble,” despotic, or authoritarian impulses. Further, the integration of the *fuqahā* in wider society ensured that their interpretations of Islamic law were anchored in local conditions, and were responses to their diverse political and social environment.¹⁴¹ The broad base of Islamic ideological culture and its aggregate rather than hierarchical nature would be of considerable importance in determining how the Islamic society in the *Thaghr* would weather the Christian conquest.

The class diversity of the *‘ulamā*’ was complemented by a typically medieval diversity of intellectual interests. Those who were “learned” tended to be involved in a broad range of disciplines. Hence the March was noted for its scientists (to permit a harmless anachronism), medical doctors and literati; indeed, the *taifa* ruler Yūsuf b. Aḥmad b. Hūd (1081–1082) was a mathematician of notable ability.¹⁴² It is in the realm of poetry in particular, and in the specific styles which developed in al-Andalus, that the literate class unconsciously exposed the depth of its integration in the general culture of the peninsula. Two indigenous genres of Andalusī poetry, the hybrid *muwashsha* and *zajal* styles, reflect the peninsula’s linguistic and cultural diversity, and further support the contention that multilingualism was common. The latter form, which emerged in the late ninth century and became especially popular in the *taifa* period, was characterized by a final couplet (*kharja*), usually in Romance but occasionally Hebrew, written in any of the three current alphabets. The March was not without aficionados of this style, including al-Aṣḥābī al-Lāridī (“of Lleida”) and al-Jazzār from Zaragoza.¹⁴³ Finally, the *shu‘ūbiyya* movement, the epicenter of which was Persia but which reverberated across the Muslim world and was particularly resonant in Spain, confirms that local traditions and currents had been carried into Islamic culture by the conversion of indigenous peoples. This reaction against the place of

¹⁴⁰ For the origins of *fuqahā*’ see Glick, *Islamic and Christian Spain in the Early Middle Ages*, pp. 157–158, and Marín, “Biographical Dictionaries and Social History of al-Andalus,” pp. 245 and 252.

¹⁴¹ Thus Glick rejects Lévi-Provençal’s characterization of Islamic law as rigid and conservative: Glick, *Islamic and Christian Spain in the Early Middle Ages*, p. 197.

¹⁴² See Grau, “Contribución al estudio del estado cultural del Valle del Ebro,” pp. 240ff., for examples. For the *taifa* king, see J. Høgendijk, “Al-Mu’taman ibn Hūd, 11th Century King of Saragossa and Brilliant Mathematician,” *Historia Mathematica* 22 (1995): 1–18.

¹⁴³ Ibn Bassām, *Al-Dhakhīra fī maḥāsīn ahl al-Jazīra*, 2 vols. in 8 (Beirut: Dār al-Thaqāfa, 1975), 1.1, p. 469.

Muslim domination of the Ebro and its demise

privilege occupied by Arabic language found expression in al-Andalus in figures such as Abū 'Āmir ibn García al-Bashkunsī, and the strength of the movement here betrays at once the profound success of Arabic civilization and the existence of a strong undercurrent of indigenous culture in the peninsula.¹⁴⁴

ADMINISTRATION AND POWER

The apparently paradoxical nature of *Thaghr* culture as at once orthodox and yet particular, embodying elements of both Arabo-Islamic and indigenous Christian culture, is manifest in its politico-economic organization. From the time of its conquest through to the *fitna* ("civil war" or "strife") which followed the death of al-Manṣūr in 1002, the March had been formally dependent on the central power of Córdoba. But an independent streak can be traced back almost to the time of the conquest itself, demonstrated by Zaragoza's rebellions in the eighth and ninth centuries.¹⁴⁵ Several factors conspired to bestow autonomy on the *Thaghr*. As a province of the Emirate (and later, Caliphate) of Córdoba, the *Thaghr al-Aqṣā'* enjoyed an administrative structure distinct from that of the interior provinces (*kuwar*, sing. *kūrā*). In the latter, Córdoba maintained a policy of rotating civil governors (*āmil*, pl. *'ummāl*) in order to prevent the development of bonds of local patronage which might encourage them to rebel. Frontier conditions, however, dictated that each of the *thughūr* be ruled by a military governor (*qā'id*), whose tenure was permanent.¹⁴⁶ Thus, from as early as the ninth century, governing families of the Upper March, like the Banū Tujīb, were able to entrench themselves dynastically. Such was the case also in the sub-districts or *āmāl* (sing. *'amal*) of the March, including Tudela, Huesca, Lleida, and (occasionally) Barbastro, each of which was ruled by its own governor.

Given the March's early start in establishing autonomous, locally based, and stable power structures it should come as little surprise that this region emerged relatively unaffected from the collapse of the Caliphate. The Tujībids continued to rule in Zaragoza, and the district governors gained the confidence to declare themselves independent. This situation

¹⁴⁴ See J. Monroe, ed., *The Shu'ubiyya in al-Andalus: The Risala of Ibn Garcia and Five Refutations* (Los Angeles: University of California, 1970), particularly p. 20. *Shu'ubiyya* was a reaction to the self-declared cultural and economic superiority of the Arabs; see M. Shatzmiller, *Labour in the Medieval Islamic World* (Leiden: Brill, 1994), pp. 327–346.

¹⁴⁵ E. Fagnan, ed., *Histoire de l'Afrique et de l'Espagne intitulée Al-Bayano'l-Mogrib*, 2 vols. (Algiers: Fontana, 1901), II, pp. 89–90, 227. See also below, p. 66 n. 197.

¹⁴⁶ A diversity of terms is used interchangeably to refer to the governors. See Laliena and Sénac, "Le peuplement musulman dans le district de Huesca," p. 16; Lévi-Provençal, *Histoire de l'Espagne musulmane*, III, p. 57.

Thaghr and taifa

contrasts dramatically with most of the rest of the peninsula, where a volatile mixture of ethnic factions, none of which was powerful enough to impose order, struggled for domination. For the *Thaghr*, on the other hand, the transition from province to *taifa* represented continuity not cataclysm. By the time the dust of the *fitna* had settled the region was again united, this time under the Banū Hūd, who had deposed the Banū Tujīb in 1039. From the middle of the eleventh century until the arrival of the Almoravids, the entire region (including Calatayud and Tortosa) remained under Hūdid domination, although it was marked by more or less continuous internal power struggles and a gradual erosion of territory at the hands of Christian neighbors.

Civil and religious administration

Medieval Arabic chronicles reflect the preoccupations of their authors, and thus notices regarding events in the March are few in comparison to those of Córdoba, and the emphasis falls on accounts of rulers and political events. Hence, the internal administration for this region is difficult to apprehend, even for the caliphal period. Further, surviving accounts deal almost exclusively with towns, making rural administration even more obscure. Nevertheless, some general conclusions can be drawn. For example, in keeping with the “personal” nature of power relations in Islam, authority emanated in theory directly from the ruler, be he the emir or caliph. Thus, in reference to this figurative higher authority, *taifa* rulers tended to take the title of *ḥājib* (“chamberlain”) rather than *amīr* (“prince”) or *mālik* (“king”). *Qudāh* (sing. *qādī*), judges of Islamic law – the only type of law which was ideally recognized – were appointed from among the *‘ulamā’*, and public law was maintained by quasi-religious officials such as the *muḥtasib* (“market magistrate” or “officer of public morality”) and the *ṣāḥib al-shurṭa* (“chief of police”). Other religious functionaries, such as the *imām* or *ṣāḥib al-ṣalāh* (“prayer-leader”), were also paid for out of the *bayt al-māl*, the “public” fisc.¹⁴⁷ There was no standard “system” and a varying range of officials operated in each locale.

In the Islamic world no firm distinction was made between religious and secular law. The officers of “civil” law were men of religion and held court at the entrance to the congregational mosque. Thus, as noted, individuals who held no official position might nevertheless wield judicial power by virtue of their popular esteem. The *sharī‘a* itself was held to derive from God’s direct revelation via the “tradition” of the Prophet;

¹⁴⁷ Lagardère, *Histoire*, 176, doc. III: 287. For a survey of the various branches of Islamic administration see Lévi-Provençal, *Histoire de l’Espagne musulmane*, III, pp. 9–54.

Muslim domination of the Ebro and its demise

hence, it was considered open to interpretation (if not innovation). Inasmuch as nearly every legal matter was also a religious one, Islamic justice simply did not lend itself to the type of private appropriation which is an essential aspect of the seigniorial or feudal legal systems of the medieval Occident, although the exigencies of civil administration did lead to the development of a secular court under princely authority, the *maẓālim* jurisdiction.¹⁴⁸

Generally, the tax system appears to have functioned as a more or less centralized public institution quite consistent with a relatively urbanized economy characterized by the circulation of a considerable amount of actual coinage. Like law, taxation was conceived of in religious terms, and its particulars had been laid out to Muḥammad in detail and recorded in the Qurʾān. Muslims were to pay the *ʿushr* (“the tenth”) and the *ṣadaqa* (an alms tax), both of which went into the public treasury – initially guarded in the congregational mosque and administered by the caliph. But ideal and reality often diverge, perhaps nowhere more so than in the realm of taxation, and from the time of the Caliphate Andalus had been subjected to extra-canonical taxes.¹⁴⁹ Residents of the March, for their part, seem to have escaped many of these un-Islamic impositions and, owing to their special status as defenders of the frontier, were liable only for the *ʿushr*.¹⁵⁰

Town and country

Medieval Islamic society is usually characterize as urban, particularly in contrast to contemporary Christian Europe. The main mosque was the heart of the town, and other public services, including an official market, baths, and cemeteries, provided additional social and economic foci. Enterprises of charity and hospitality were often supported by a system of pious endowment (*waqf*). Towns were generally fortified, as were the suburbs which grew up around them. Within the walls, the city consisted of an aggregation of self-sufficient neighborhoods, perhaps reflecting the segmentary social structure suggested by a clan-based society.¹⁵¹ Some historians, however, have sought to underline the essentially rural

¹⁴⁸ Ribera believed this institution to have been so important in the Furthest March that it inspired Christian Aragon’s royal judicial office, the *justicia de Aragón*: J. Ribera Tarragó, *Orígenes del justicia de Aragón* (Zaragoza: Comas Hermanos, 1897); cf. A. Giménez Soler, “El justicia de Aragón ¿Es de origen musulmán?” *Revista de Archivos, Bibliotecas y Museos* (1901): 1–24, for a contrasting view.

¹⁴⁹ Lévi-Provençal, *Histoire de l’Espagne musulmane*, III, p. 39.

¹⁵⁰ Chalmeta, “El concepto de tagr,” p. 22.

¹⁵¹ See V. Lagardère, *Campagnes et paysans d’al-Andalus VIII^e–XV^e s.* (Paris: Maisonneuve et Larose, 1993), p. 178.

character of Andalusī society, and suggest caution in drawing conclusions from works by urban writers.¹⁵² Sénac, for example, believes that the methodology and sources of the traditional historiography of al-Andalus have erroneously put the emphasis on the “urban” aspects of Andalusī society, an imbalance which is now being redressed by archeological work, while Miquel Barceló strives to draw attention to the essentially rural and agricultural nature of Andalusī society throughout his work.¹⁵³ The reaction of these historians is justified, although it must also be borne in mind that in al-Andalus rural activities were frequently integrated into town life, and the distinction between town and country was not always well defined.

In fact, the rural landscape of the March was typified by a number of types of settlement structures, including the *ḥiṣn/qarya*; these have come to light largely as a result of the archeological efforts of the last twenty years.¹⁵⁴ These recent studies suggest the dominance of a settlement “system” consisting of vaguely bounded castral districts called *ḥuṣūn* (sing. *ḥiṣn*), which dates back as far as the ninth century.¹⁵⁵ These contained a number of hamlets and villages (*qura'*, sing. *qarya*), normally served by some sort of fortification which may have included the seat of a *qā'id* (a local military commander who had no judicial authority) and/or an elevated and sometimes walled enclosure intended to protect the area's inhabitants and livestock in time of threat. In a segmentary society such threats came from neighbouring areas and rival clan groups as much as from foreign enemies. The fortifications do not seem to have comprised a centrally planned defensive structure or line of defense against the Christians; rather they developed organically, and represent spontaneous constructions undertaken by the local populace with the cooperation or assent of the central administration. Hence, when al-Himyarī described the district of al-Lārida (Lleida), he observed that each *day'a* (as the hamlets within large estates were called) had a *burj* (tower) or *sirdāb* (shelter)

¹⁵² Benassar characterizes medieval Arabic geography as ignoring the countryside: B. Bannassar, ed., *Histoire des Espagnols*, 2 vols. (Paris: A. Colin, 1985), I, p. 129.

¹⁵³ P. Sénac, “Poblamiento, hábitats rurales y sociedad en la Marca Superior de al-Andalus,” *Aragón en la Edad Media* 9 (1991): 390.

¹⁵⁴ Laliena and Sénac characterize the *ḥuṣūn* as at times refuges and at times institutionalized manifestations of the central power: Laliena and Sénac, “Le peuplement musulman dans le district de Huesca,” p. 66. Azuar Ruiz contends, contra Guichard, that the term *ḥiṣn* refers to an area of settlement/administration rather than a physical structure, suggesting that the jurisdiction of the *qā'id* was an expression of demographic rather than territorial authority: R. Azuar Ruiz, “Una interpretación del *ḥiṣn* musulmán en el ámbito rural,” *Revista del Instituto de Estudios Alicantinos* 37(3) (1982): 38.

¹⁵⁵ J. Giralt i Balaguero, “Fortificacions andalusines a la Marca Superior d'al-Andalus: aproximació a l'estudi de la zona nord del districte de Lleida,” in *La Marche Supérieure d'al-Andalus et l'Occident chrétien*, p. 72.

Muslim domination of the Ebro and its demise

built with money raised by the popular donations and bequests from villagers, rather than by any seigniorial authority.¹⁵⁶

However debatable the details, the archeological consensus is that this system reflected a “segmentary” social system with an administrative character quite unlike that which developed in Christian-dominated Europe.¹⁵⁷ The system of *tenencias*, which developed under Sancho “the Great” of Navarre (1000–1035) and characterized Aragonese rural organization through the twelfth century, consisted of units comprising a castle (a military and seigniorial nexus) with an array of attendant villages – the inverse of the Andalusī *ḥiṣn/qarya*.¹⁵⁸ This conceptual difference can be seen in duty of provisioning the local defensive structures. Under Muslim rule, *al-ṣūfīa*, the duty of villagers to carry supplies to the local fortress, was traditionally a public, communal service, while Occidental *corvées* (including the Aragonese *azofra*) were a form of private taxation-by-service imposed for the benefit of the local lord.¹⁵⁹

Aside from *ḥuṣūn* and their associated villages, the countryside was also home to larger “aristocratic” estates (*arḥāl*, sing. *raḥal*, or *munan*, sing. *munya*), which were worked by tenants and wage-workers; again, a system which was grounded in conceptual traditions foreign to Latin Christendom despite superficial similarities. Guichard points out that these estates generally do not bear the names of proprietary families, but rather names broadly associated with the upper class, although, in fact, cereal-producing *munan* around Huesca were named after individual owners.¹⁶⁰ In any event, even *latifundia* owned by aristocracy would have been worked for the most part by communities of free peasants, unlike

¹⁵⁶ Al-Ḥimyarī, *La péninsule ibérique au moyen-âge*, pp. 202–203 (Ar. p. 168). According to Lévi-Provençal, al-Qazwīnī describes similar civil defense shelters at Fraga (Ar. *ibid.*, p. 202 n. 3).

¹⁵⁷ Burns holds a position generally contrary to this. See e.g. his *Islam under the Crusaders: Colonial Survival in the Thirteenth Century Kingdom of Valencia* (Princeton, NJ: Princeton University Press, 1973), p. 311.

¹⁵⁸ See A. Ubieto Arteta, *Historia de Aragón. Divisiones administrativas* (Zaragoza: Anubar, 1983), pp. 85–89.

¹⁵⁹ P. Guichard, “Le problème de l’existence de structures de type «féodal» dans la société d’al-Andalus (L’exemple de la région valencienne),” in *Structures féodales et féodalisme dans l’occident méditerranéen (X^e–XIII^e siècles)* (Rome: Ecole Française de Rome, 1980), p. 717. Guichard echoes Chalmeta, cautioning that concrete comparisons between aspects of the feudal society of the West and of al-Andalus do not lead to the conclusion that their structures were identical, given that these elements were anchored in distinct social systems: *ibid.*, p. 700, referring to P. Chalmeta Gendron, “Concesiones territoriales en al-Andalus hasta la llegada de los Almorávides,” *Cuadernos de Historia* 6 (1975): 53–55. For Muslim complaints regarding *azofras* in the late thirteenth century, see p. 214.

¹⁶⁰ For possible *munan* (*almunias*) in Christian documentation, see R. del Arco y Garay, “Huesca en el siglo XII,” in *II Congreso de Historia de la Corona de Aragón* (Huesca: Justo Martínez, 1920), 430–432, doc. 7 (1097); for names, see Guichard, “Le problème de l’existence de structures de type «féodal»,” p. 715.

Thaghr and taifa

the noble estates of the Christian West.¹⁶¹ Further, the intensely irrigated market-gardening, which must have made up the most important sector of agricultural production in the March, was carried out by free subjects (*fallāḥa*) who owned small-holdings grouped around villages.¹⁶²

VOX POPULI: THE POWER OF CONSENSUS

If the Islamic sources are reticent regarding how the population of the *Thaghr* related with the powers that were, the documents of the early Christian conquest do shed some light on the subject. Evidence referring to negotiations between Christians and Muslims in the eleventh and twelfth centuries confirms that the power of popular consensus was considerable in the March. For example, when Pedro I negotiated the surrender of Naval in 1099 it was with the castle's "barones," rather than with any single official.¹⁶³ Similarly the "bonos moros de Tutela" and "Alfalibi" (possibly the *qā'id*) negotiated the surrender of Tudela to Alfonso I in 1115, and various Muslim officials were listed in the document.¹⁶⁴ Later, in 1225, when the commander of the castle of Salvatierra agreed to surrender to Fernando III of Castile (1217–1252), his garrison refused, showing that autocratic action, even at low levels, was not always feasible.¹⁶⁵ Finally, in the surrender of Chivert (1234), Guichard points to the apparently superior authority which the *qādī* enjoyed over the *qā'id*.¹⁶⁶ Such episodes suggest a society of a rather "public" character, where active political participation was not limited to the aristocracy and real power depended to a considerable degree on the consent negotiated with a wider and, in some sense, popular constituency.

This dynamic of consent had precedents in earlier events recorded in Arabic histories, which contain frequent allusions to the power of the *vox populi*. For example, Muṭrūḥ b. Sulaymān is described as taking power in Zaragoza in 790/1 because he had been chosen by the "people" of the town as their leader. Similarly, al-'Udhri writes of the "people of Huesca" (**أهل وشتة**) installing a new leader of their choice, Fortūn b. Muḥammad, after their previous *wālī*, his brother 'Amrūs, had fled their wrath in 909. As it happened, Fortūn lasted only until 938/9 when he

¹⁶¹ See Lagardère, *Campagnes et paysans d'al-Andalus*, pp. 56 and 86.

¹⁶² *Ibid.*, p. 70.

¹⁶³ Durán, *Colección diplomática de la catedral de Huesca*, 1, pp. 104–105, doc. 76.

¹⁶⁴ *CFCP*, p. 416.

¹⁶⁵ M. Desamparados Cabanes, ed., *Crónica latina de los reyes de Castilla*, 3rd edn. (Zaragoza: Anubar, 1985), p. 67.

¹⁶⁶ Guichard, "Le problème de l'existence de structures de type «féodal»,", p. 712; for the document, see M. Ferrandis, "Rendición del castillo de Chivert a los Templarios," in *Homenaje a D. Francisco Codera* (Zaragoza: Mariano Escar, 1904), p. 28.

Muslim domination of the Ebro and its demise

too was expelled. Muḥammad b. Lub, ruler of Lleida and Balaguer, was also noted as being expelled by the “people” of both locales in 927.¹⁶⁷ Wasserstein notes that, in the following century during the *taifa* period, the ‘amma (“masses”) come to be mentioned more in the chronicles as a political force, a tendency which is reflected in events throughout the peninsula.¹⁶⁸ Hence, in 1047 a popular uprising effected a coup in Málaga, while the Almoravid governor of Córdoba was ousted by riots in 1121.¹⁶⁹

In the *Thaghr* the clearest example of this phenomenon can be seen in the twilight of Islamic Zaragoza. In an episode emblematic of the socio-political dynamic of the March, the folk of the *Thaghr*, “disgusted” with al-Muqtadir and his intrigues against his brother Yūsuf, “discharged themselves from their obedience” to the former and “invited” (خَلَعُوا طَاعَتَهُ وَصَيَّرُوا) the latter, whom they considered to be of better character, to rule them. The deposed Aḥmad then intrigued with “Ibn Rudmīr” (Sancho Ramírez; 1063–94), promising to pay him double the *parias* which Yūsuf was paying if he would help to supplant his rival.¹⁷⁰ Having returned to power, al-Muqtadir expanded the Hudid realms to include Tortosa, Valencia (later taken by the Cid), and Denia, but his death provoked further divisions and internal struggles. Circumstances conspired against his successors, who were forced to contend with Alfonso VI, the Almoravids, and an increasingly discontented public. As the northern fringe of the kingdom collapsed under Aḥmad b. Yūsuf al-Mustaʿīn II, popular frustration became critical. In 1106, when the Berber ‘Abd Allāh b. Fāṭima presented himself at the gates, the people were considering recognizing him when a *bona fide* letter for Aḥmad arrived from the desk of the supreme Almoravid ruler, Yūsuf b. Tashfīn. Ultimately, however, even this intervention could not save the Banū Hūd of Zaragoza; Aḥmad’s son, ‘Imād al-Dawla (1110), was expelled from the city in 1110 after he broke his promise to the people to refrain from making alliances with his Christian neighbors. In the disorder that followed, a *qāḍī* came to act as the de facto ruler and spokesman until the people decided definitively for the Almoravids in 1110, opening the gates

¹⁶⁷ Al-‘Udhri, *Nuṣūs ‘an al-Andalus*, pp. 68, 71, 40 and 26.

¹⁶⁸ D. Wasserstein, *The Rise and Fall of the Party-kings*, pp. 151–152.

¹⁶⁹ Levi-Provençal, *Mudhakkarāt al-Amūr ‘Abd Allāh*, p. 310, n. 27; A. Huici Miranda, “Los Banu Hud de Zaragoza, Alfonso el Batallador y los Almorávides (Nuevas aportaciones),” *Estudios de Edad Media de la Corona de Aragón* 7 (1962): 323. The Almoravid governor of Málaga was also killed by the people of that city (أهل البلد) in 1145: al-Ḥimyarī, *La péninsule ibérique au moyen-âge*, p. 215 (Ar. p. 179); cf. *CAI*, p. 151, doc. 190 and *COR*, p. 608, for Christian accounts.

¹⁷⁰ Ibn ‘Idhārī, *Al-Bayān al-Maghrib*, III, p. 223. The chronicler provides no date for the incident (cf. Turk, *El reino de Zaragoza en el siglo XI de Cristo*, p. 76). *Parias* were the tribute paid by the *taifa* rulers to Christian principalities.

Thaghr and taifa

to Muḥammad b. al-Ḥājj, whom they had summoned from Valencia.¹⁷¹ Later, when Abū Yahyā of Zaragoza pursued the fugitive ‘Imād al-Dawla to his Christian-protected base of Rueda and Borja in 1116, the former besieged and attacked the region, not until he had defeated his enemy, but rather “until its inhabitants made a pact with him.”¹⁷²

Such episodes are entirely in harmony with the Islamic concept of the nature of power, which depends on acknowledgment by the community of believers as a whole (in contrast to the limited reciprocity inherent in the hierarchical Western concept of vassalage). From the time of the Prophet Muḥammad, the *bay‘a* – the formal recognition of a leader by his subjects – had been the hallmark of political legitimacy. Indeed, al-‘Udhri refers to the *bay‘a* in the context of the appointment of governors of the *Thaghr*, wherein candidates recognized the suzerainty of the emir. The same chronicler reported that when al-Mundhir b. ‘Abd Allāh al-Tujībī took power in 921/2, ‘Abd al-Raḥmān III obtained his *bay‘a* from the “Arabs and the rest of the men of the *Thaghr al-‘Aqsā*.”¹⁷³ In the March, this participatory element would have been all the broader by the twelfth century, by which point internal distinctions between Arab and non-Arab Muslims would have disappeared and the weakening of state power structures would have localized government and encouraged popular participation.

The “public” and personality in local government

The “public” nature of Muslim society and the broad participation of its members are reflected in the formal and informal military activities of ordinary Andalus. For example, the siege of Tortosa of 1091 was lifted by the efforts of local forces who fended off the Pisans and Genoese.¹⁷⁴ Similarly the townsfolk of Rueda resisted Christian attacks, while those of Bolea raided Christian towns in order to help “draw the fire” of the besiegers of Zaragoza.¹⁷⁵ The Muslim reconquest of Barbastro was

¹⁷¹ Ibn al-Khaṭīb, *Kitāb a‘mal al-a‘lām fī man būy‘a qabla al-ihtilām min mulūk al-Islām* (Beirut: Dār al-Makshūf, 1956), p. 175. According to Huici, the role attributed to the *qādī* Ṭābit b. ‘Abd Allāh is exaggerated: “Los Banu Hud de Zaragoza,” p. 319. See also Huici, *Ibn ‘Idari*, pp. 126–7; V. Lagardère, *Les Almoravides. Le djihād andalou (1106–1143)* (Paris: Editions l’Harmattan, 1998), p. 145; Huici, “Los Banu Hud de Zaragoza,” p. 314; al-Maqqarī, *History of the Mohammedan Dynasties in Spain*, II, p. xxv.

¹⁷² “hasta que sus habitantes pactaron con él . . .” Huici, *Ibn ‘Idari*, p. 146.

¹⁷³ “الأخذ بيعة العرب وغيرهم من رجال الثغر الأقصى”: Al-‘Udhri., *Nuṣūṣan al-Andalus*, pp. 42 and 49.

¹⁷⁴ A. Ubieto Arteta, ed., *Colección diplomática de Pedro I de Aragón y Navarra* (Zaragoza: Institución “Fernando el Católico,” 1951), pp. 150–151.

¹⁷⁵ Turk, *El reino de Zaragoza en el siglo XI de Cristo*, pp. 128 and 183.

Muslim domination of the Ebro and its demise

reportedly carried out under the direction of Aḥmād b. Sulaymān b. Hūd of Zaragoza with the aid of the “people of the Marches” (أهل الشغور).¹⁷⁶ Ibn al-Athīr recalls how Lleida contributed two hundred cavalry for the defence of Fraga when that town was besieged by Alfonso I, while in the battle itself the inhabitants (including women and children) reportedly made a sortie against the Christian forces.¹⁷⁷ In addition to such popular manifestations of military spirit, the participation of *Thaghīrī* Muslims in formal campaigns is also noted. For example, the large cavalry and infantry force which ‘Imād al-Dawla brought to help his Christian allies at the battle of Cutanda (1120) shows that those Andalusis discontented with Almoravid dominion were disposed to fight it.¹⁷⁸ On the other side of the field ‘Alī b. Yūsuf arrived with an army which included local Muslims who supported his cause.¹⁷⁹ The propensity for common Muslims to fight in their own defense cannot simply be attributed to “frontier” realities. Contemporary Islam not only gave the right, but demanded of believers that they take up arms to defend the faith. Further, these episodes confirm that the political crises of the late eleventh/early twelfth centuries were not merely the result of a “flabby” Muslim population whose aggressive spirit had atrophied in the centuries of caliphal glory, as has been suggested. If Andalusī society can be described as lacking a military character, this is partly because it is compared to its Christian neighbours, whose classes were essentially defined by military activity.¹⁸⁰

The source of the rapid turnover of rulers in the Ebro region reflects a related characteristic of Islamic society: the conception of power in terms of jurisdiction over people rather than territory. The limits of a Muslim prince’s power did not correspond to an independently defined geographical area, but rather to the population on which he could impose his will or command obedience.¹⁸¹ Further, Islamic law, which carried far more authority than its counterpart in Christendom, ran across “political”

¹⁷⁶ Al-Ḥimyarī, *La péninsule ibérique au moyen-âge*, Ar. p. 41.

¹⁷⁷ Ibn al-Athīr, *Ibn al-Athīr. Annales du Maghreb*, pp. 553–4. Fagnan mistakenly identifies “Ibn Rodmir” (Alfonso I) as “Alphonse VII de Castile.”

¹⁷⁸ Huici, “Los Banu Hud de Zaragoza,” p. 322. It should be noted that this account varies from that of al-Kardabūs. The latter says that when ‘Imād al-Dawla fled to Rueda it was to resist “the polytheists” (المشركين) and adds the invocation “God bless him” (رحمه الله) after his name. It was the lord of Rueda’s son, Aḥmad Sayf al-Dawla, who was offered and accepted vassalage by Alfonso VII. Ibn Kardabūs, *Tārikh al-Andalus al-ibn al-Kardabūs wa waṣṣulu ‘l-Ibn al-Shabbāṭ niṣṣān jadīdān*, ed. Aḥmad Mujaṭār (Madrid: Instituto de Estudios Islámicos en Madrid, 1971), pp. 119–120.

¹⁷⁹ Ibn al-Athīr, *Annales du Maghreb*, p. 546.

¹⁸⁰ See Guichard, *Les musulmans de Valence et la reconquête*, II, p. 390.

¹⁸¹ In fact, power in the medieval Christian West was defined for practical purposes according to the effective power of princes over their subordinates; but in the West there was at least a traditional concept of territorial rule.

Thaghr and taifa

boundaries such as those of the *taifas*. Thus, it lent a fluidity to the already imprecise internal frontiers of the *dār al-Islām* and contributed to the maintenance of administrative stability in spite of the vicissitudes suffered by particular regimes.¹⁸² Further, it endowed the Muslim population with the confidence to negotiate with would-be rulers (even Christians) as long as the integrity of Islamic judicial institutions was guaranteed. For Muslims, the role of the *sultān* ("political authority") was to provide peace and security, and the identity of its agent was not so important. The conflicts of rival dynasties were to the society of the March as waves to the sea, distorting the surface without affecting the currents in its depths. This aspect of Ebro society was critical during periods of Aragonese and Catalan military success, enabling Islamic society here to survive the transfer of political power to Christian authorities.

AGRICULTURE AND TRADE BEFORE THE CHRISTIAN CONQUEST

The Islamic *Thaghr* was characterized by a highly varied rural activity. Contemporary geographers attest to the widespread production of fruit and vines as well as cereal crops. A good deal of this agricultural industry depended on a sophisticated practice of irrigation; thus, the study of the structure of these hydraulic systems offers additional insight into the dynamic of Andalusī rural society.¹⁸³ In fact, the development of irrigation systems reflects parallel developments in society as a whole: after the Islamic conquest, Muslims brought their own techniques, which were gradually adopted, superseding autochthonous practices which dated back to the Roman period.¹⁸⁴ This contrasts with the situation of the Western Maghrib, where Berber customs developed more or less unaffected by Roman techniques.¹⁸⁵ Thus, in Iberian irrigation and agriculture, foreign systems cannot have been implanted without being affected by existing structures, and, although new crops and techniques were introduced, Roman-style cereal and olive culture survived in many areas of the March.¹⁸⁶ Archaeological work leaves little doubt that it was in areas

¹⁸² Glick, *Islamic and Christian Spain in the Early Middle Ages*, pp. 197ff., and Wasserstein, *The Rise and Fall of the Party-kings*, p. 112.

¹⁸³ Much of the archeological and documentary work done on Andalusī irrigation has centered on the Valencian coast and comparatively little work has been done on the Furthest March.

¹⁸⁴ The Roman dam at Almonacid provides an example of the re-use of a pre-existing structure first by Muslims and later by Christians, each according to the dictates of their respective social/agricultural systems. See M. Arenillas Parra et al., *La presa de Almonacid de la Cuba. Del mundo romano a la ilustración en la cuenca del Río Aguasvivas* (Zaragoza: Gobierno de Aragón, 1996).

¹⁸⁵ Largardère, *Campagnes et paysans d'al-Andalus*, p. 259.

¹⁸⁶ See, for example, L. Bolens, *Agronomes andalouses du moyen âge* (Geneva: Droz, 1981); A. M. Watson, *Agricultural Innovation in the Early Islamic World* (Cambridge University Press, 1983);

Muslim domination of the Ebro and its demise

of heavy Berber colonization that non-Iberian techniques were most quickly established, while in the uplands of Huesca, the newcomers reorganized and added to standing structures.¹⁸⁷ In fact, wells and distribution systems of all the major Oriental types are found across the March, and their integration in the *hişn/qarya* settlement system reflects a segmentary social system compatible with this arrangement.¹⁸⁸ Barceló characterizes the connection between irrigation and social structures as a spiral: social structures dictate the forms of production, which in turn reinforce those structures.¹⁸⁹ But the relationship between production systems and social structure is not as direct as Marxian theorists may imagine, especially if one considers that only a portion of the population of the March would have been affected by Oriental hydraulic systems, and even then perhaps not to the exclusion of other modes of production which cannot be characterized according to a supposed Eastern/Western dichotomy. The implantation and adoption of Muslim rural organizational structures probably acted as a catalyst for the introduction of Oriental social models, but these structures, like the models to which they were related, were contextual rather than universal in manifestation.

As for tenant and laborer relationships, Lagardère discerns a number of types of arrangements current among Andalusí agricultural producers, each of which came to be regularized by Islamic jurists.¹⁹⁰ Small-scale partnership arrangements were popular, and typically involved two parties cooperating in the exploitation of an area, each providing some or all of the land, tools, seed, and labor and sharing the risk and profits according to a number of defined formulas. The most current of these, the *shirka* agreement, was a formal association in which one party supplied the labor and the other supplied everything else (including land); the share of the produce which each partner received varied according to the

A. M. Watson, "The Imperfect Transmission of Arab Agriculture into Christian Europe," in *Kommunikation zwischen Orient und Okzident. Alltag und Sachkultur* (Vienna: Österreichische Akademie der Wissenschaften, 1994), 199–212; for the persistence of Roman systems, Lagardère, *Campagnes et paysans d'al-Andalus*, p. 329. The Monegros on the Ebro's north bank east of Zaragoza had been deforested and given over to grain production in the Roman period: Dupré, "La Vallée de l'Ebre dans l'Espagne romaine," 174. For Visigothic agriculture see L. García Moreno, *Historia de España visigoda* (Madrid: Cátedra, 1989), pp. 193–254.

¹⁸⁷ See J. Sesma Muñoz, "Regadíos andalusíes en el valle medio del Ebro: El ejemplo del Río Aguasvivas," in *Agricultura y Regadía en al-Andalus* (Almería: Diputación, 1995), pp. 67–84, and J. Utrilla Utrilla, "Tecnología hidráulica y regadíos medievales en el valle medio del Ebro," in *Técnicas agrícolas industriales e constructivas na idade media* (Celanova: Tórcula Artes, 1998), 39–70.

¹⁸⁸ C. Laliena Corbera, "Los regadíos medievales en Huesca. Agua y desarrollo social, siglos XII–XV," in *Agua y progreso social*, ed. C. Laliena Corbera (Huesca: Instituto de Estudios Altoaragoneses, 1994), pp. 19–44.

¹⁸⁹ M. Barceló i Perelló, "El diseño de espacios irrigados en al-Andalus: un enunciado de principios generales," *El agua en zona árida: arqueología e historia* (1989): 15.

¹⁹⁰ See Lagardère, *Campagnes et paysans d'al-Andalus*, pp. 125–174.

specific compact. Farming irrigated land was more labor-intensive, and so the laborer in such a contract might be entitled to from one half to two thirds of the crop. On the other hand, the planting of trees or vines which would not yield fruit in their initial years was subject to the *mighārasa* (analogous to *complantatio*) contract, which compensated the laborer for this delay. (Agreements of *complantatio*, whereby a landlord would contribute to initial expenses and/or forgo some or all revenue for the first years of tenancy, were frequently used in Christian Iberia for viticulture and arboriculture, wherein start-up costs were high and production took several years to reach normal levels). Aside from such cooperative arrangements, labor could be hired and land be rented. *Hubūs* or *waqf* lands, owned by religious institutions, were subject to special contractual conditions. The parties to these various contracts often participated in several separate arrangements simultaneously as well as in “urban” economic activities such as a craft production or commerce as complement to this agricultural work. General rights to pasture and water were guaranteed to all rural producers by virtue of the Qur’ān and *sunna*.¹⁹¹

The currency of Islamic production arrangements underlines the fact that the Islamic lands of the peninsula were peopled by a “free” and mobile peasantry which had a fairly broad range of participation in larger affairs. Miquel Barceló points out quite correctly that referring to rural producers as “free” in pre-industrial eras can be misleading,¹⁹² but I would suggest that a great part of the problem lies in the nebulous imprecision of the concept of liberty. For the purposes of the present work, the adjective “free” signifies the absence of legal impediments to personal movement, alienation of personal property and the ability to independently enter contracts as a responsible legal party. Agreements, circumstance, and community dynamics all may have inhibited the possible range of action of the rural population without detracting from the fundamental liberty which they enjoyed, in contrast to slaves or bonded peasants.

In addition to agriculture, industrial and resource-oriented activities helped drive the Andalusī economy. Commodities traded included craft products and raw materials, produced for both domestic consumption and export, while the broad circulation of bi-metallic coinage stimulated trade at all levels. The whole of Islamic Iberia, including the Ebro region, was tied in to trade routes which carried goods across the breadth of the Mediterranean, south across the Sahara to Central Africa and, to a lesser extent, north to Christian Europe. Important as these activities may have been, the economy of the Furthest March, typically pre-modern,

¹⁹¹ al-Mawardī, *Al-Ahkām al-sulṭāniyya* (Cairo: Mustafa al-Bābī al-Halābī, 1960), p. 187.

¹⁹² Interview in *El País*, 14 May 1999: “Cataluña,” p. 14.

Muslim domination of the Ebro and its demise

was overwhelmingly agricultural. Thus, “whatever may be thought of the role of the town . . . there can be no doubt that the centre of the economic picture was occupied by the villages and *villae* of the countryside.” P. D. King’s characterization of the role of agriculture in the Visigothic economy kingdom also applies to al-Andalus.¹⁹³ Or, as Barceló reiterates, the importance of the farmer in the schema of Islamic Spain cannot be overstated.¹⁹⁴

REGIONAL AND ISLAMIC IDENTITY IN THE FURTHEST MARCH

The *Thaghr* constituted a region which was fully integrated into the larger Islamic world, thanks to contacts which were maintained through a range of mediums: by the travel of students, teachers and jurists, by family networks which stretched across the Mediterranean, and by trade. Early on this integration was reflected in literature and styles of court which copied Eastern fashions to the point that Andalus became a source of amused contempt on the part of the literati of Baghdad.¹⁹⁵ But by the time that the cataclysms of the eleventh century – Bedouin invasions, Berber resurgence, and the beginnings of Italian maritime power – sent tremors through the Arabo-Islamic world and fractured the ties which bound it, a distinct “Andalusi” identity had been solidly established.¹⁹⁶ Indeed, there was not only an Andalusi identity, but also a *Thaghri* identity, deriving chiefly from the area’s frontier position and manifest in the traditional disobedience to the capital. Thus, early governors (*wulāh*, sing. *wālī*) conducted independent programs of “foreign” policy, making and breaking alliances with Christian powers expressly to lever a greater autonomy from Córdoba. In 777, for example, the governor of Zaragoza, ‘Amrūs b. Yūsuf, attempted to counter the authority of the capital by forging an alliance with Charlemagne, an event recalled, albeit distortedly, in the late eleventh-century French epic the *Chanson de Roland*.¹⁹⁷ A similar

¹⁹³ P. D. King, *Law and Society in the Visigothic Kingdom* (Cambridge University Press, 1972), p. 204.

¹⁹⁴ Interview in *El País*, 14 May 1999: “Cataluña,” p. 14.

¹⁹⁵ See the ‘Abbasid *wazīr* Ibn ‘Abbād’s contemptuous dismissal of Ibn ‘Abd Rabbih’s encyclopedia: Al-Hamāwī, *The Irād al-arib ilā marifa al-adīb*, ed. D. S. Margoliouth, 7 vols. (Leiden: Brill, 1909), II, p. 67.

¹⁹⁶ See al-Shaqundī’s (d. 1231/2) “Risāla fī faḍl al-Andalus” for a celebration of Andalusi identity: E. García Gómez, *Andalucía contra Berbería. Reedición de traducciones de Ben Hayyān. Şaqundī y Ben al-Jatīb* (Barcelona: Universidad de Barcelona, 1976), pp. 43–141.

¹⁹⁷ For ‘Amrūs’s negotiations with Charlemagne, see al-‘Udhri, *Nuṣūs ‘an al-Andalus*, pp. 28–29, and for a Latin version, Ubieto, *Crónica najarense*, p. 52, doc. 2: 16. This account of the Frankish expedition to aid the Muslim *wālī* was later recast in a “Crusade” light: hard-pressed by Charlemagne’s invincible forces, “Marsilion,” Muslim lord of Zaragoza, is advised by a vassal to trick the emperor by offering friendship: D. Sayers (trans.), *The Song of Roland* (Harmondsworth: Penguin, 1988), pp. 51–52, chaps. 2 and 3.

alliance had been proposed by Huesca in 790 with Louis of Aquitaine, and a century and half later the same province refused to aid the caliphal army in the battle of Simancas (933).¹⁹⁸

On the popular level this sense of regional identity is best brought to light in situations in which Andalusis interacted with foreign Muslims. Ibn Khaldūn noted that Andalusis resented Berber rule, an assertion which is borne out by an Andalusī presence in the Christian lines at Cutanda.¹⁹⁹ And for their part, the antipathy of Berbers can be seen in Ibn Tashfīn's use of Andalusī volunteers as "cannon fodder" at Zalaqa (1086).²⁰⁰ When the native Muslims of al-Andalus rose up in rebellion against the Almoravids in the middle of the twelfth century, their animosity was of such fervor that it provoked comment in Castilian chronicles.²⁰¹ With dramatic license, one such chronicle gave voice to Andalusī discontent: "The Moabites eat the fat of the land and our properties, they carry off gold and silver from us, oppress our wives and children; therefore let us fight them and kill them, and cast off their domination from us."²⁰² The recognition of this distinction was no mere literary conceit, and translated into practical terms in the surrender document of Tudela (1115), which admitted the difference between local Muslims and "almoravites."²⁰³ The same distinction was made at Tortosa, where the Christian powers promised: "And if the Almoravids do any ill to the Christians who are among them or in their lands, the men of Tortosa will not do any ill on that account . . ."²⁰⁴

The animosity between Andalusis and Berbers had a definite ethnic dimension, and periodically led to political violence. Hence a Latin source records that when Ibn Hūd took over Murcia (c. 1229) he cleansed the mosques, which had been "polluted by the superstition of the Almohads," those Berber "oppressors of the people." Ibn Hūd was joined by the Murcians, who were said to have persecuted the Almohads with atrocities, including murder, dismemberment, and infanticide.²⁰⁵ According

¹⁹⁸ Al-'Udhri, *Nuṣūṣ 'an al-Andalus*, p. 26; Ibn Hayyān, *Al-Muqtabas* (Madrid: al-Maḥad al-Aṣbānī al-'Arabī li-'l-Thaqāfa, 1979), v, pp. 437-438.

¹⁹⁹ Ibn Khaldūn, *The Muqaddimah. An Introduction to History*, 3 vols. (London: Routledge & Kegan Paul, 1958), I, p. 35. For Cutanda, see p. 62.

²⁰⁰ Al-Maqqarī, *History of the Mohammedan Dynasties in Spain*, II, p. 30; *ibid.*, II, pp. xxxv-xxxvi. Readers will forgive the anachronistic simile.

²⁰¹ Cf. *COR*, pp. 495 and 608; *CAI*, pp. 148-51, chaps. 188-190.

²⁰² "Moabite medullas terrae comedunt et possessiones nostras; aurum et argentum nobis tollunt; uxores nostras et filios nostros opprimunt; pugnemus ergo contra eos et occidamusque dominium eorum a nobis . . .": *CAI*, p. 148, chap. 188.

²⁰³ *CFCP*, p. 417.

²⁰⁴ "Ac si Almorabites fecerint aliquod malum ad illos Christianos qui fuerint inter illos uel suas terras non prendant pro inde nullo male homines de Tortoxa . . .": AHTo, Paper, no. 185, f. 3v (December 1148); cf. *CODOIN*, IV, pp. 130-135, doc. 56.

²⁰⁵ Desamparados, *Crónica latina de los reyes de Castilla*, p. 72 (cf. *COR*, p. 608). Cf. above, p. 59.

Muslim domination of the Ebro and its demise

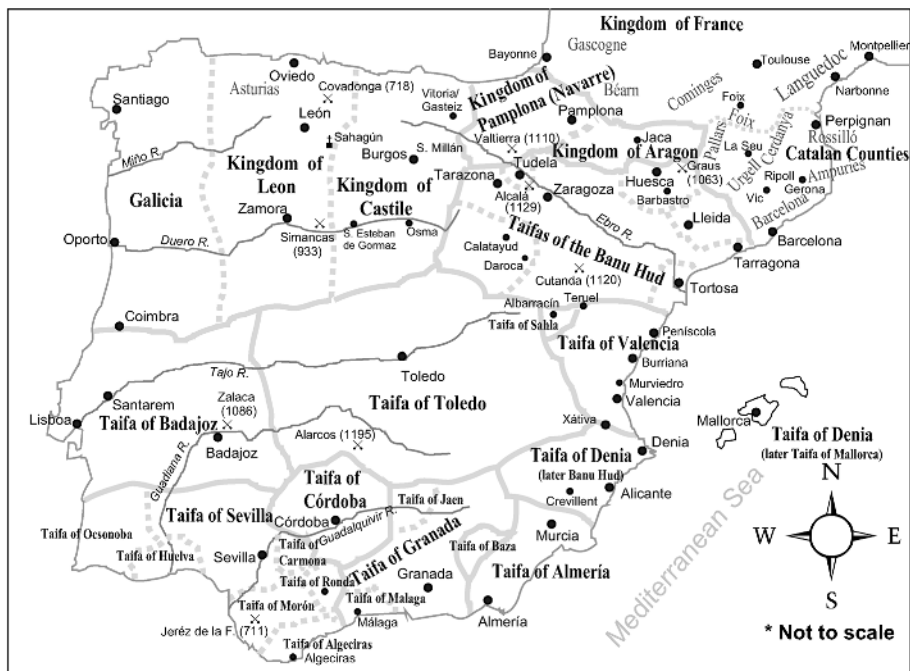
to García Gómez, Andalusí antipathy towards Maghribis could be traced back almost to the time of the Islamic conquest, and among Arabophile Iberians it was a grave insult to be called a “Berber.”²⁰⁶ Christian awareness of an ethnic difference between the two peoples can be observed in the thirteenth-century illuminations of the *Cántigas de Santa María*, which clearly identify a distinction between Andalusí and Berber costume. Turbaned and robed North African figures can be discerned alongside Andalusis, attired in costume typical of both Christians and Muslims of the peninsula.²⁰⁷

AN ISLAMIC SOCIETY

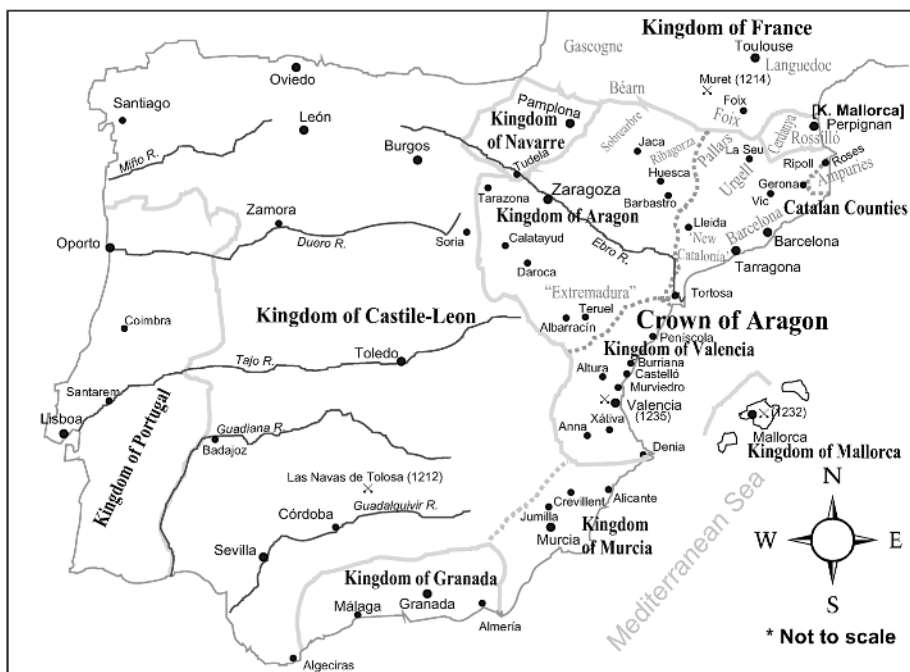
The profound Arabization and thorough Islamicization of the eleventh-century Ebro region reflects the fact that conditions at the time of the Muslim conquest were ripe for conversion. Thus, in spite of the frontier character of the *Thaḡhr al-Aqṣā'* and its close contact with Christian society, it quickly became a full participant in the great venture of Islamic civilization which stretched from the Atlantic coast to the Indian Ocean. Confident and independent, the people of *Thaḡhr* defined themselves in contrast not only to their Christian neighbors, but also to Córdoba and the South, not to mention the Maghrib. The success of Islam here can be seen in its penetration of rural society, in the currents of learning which passed from the towns to the hamlets and back. In addition to indigenous Christian and Jewish populations, there was an important Berber minority – one whose influence is difficult to gauge, but which seems to have been gradually and continually absorbed by the local culture. On the societal level, Oriental family structures were manifest at least among the upper and middle classes, and at least outwardly or as a matter of convention. Politically as well, *Thaḡhrī* society followed an Islamic model wherein a broad popular consensus was necessary for the recognition of rulers and of religious authorities, whose relationship with their constituents was based on personal rather than institutional prestige. In the economic sphere, this overwhelmingly agrarian society melded indigenous traditions of “dry” wheat farming with the intensively irrigated market gardening typical of the Islamic Mediterranean. The configuration of irrigation systems, the *ḥiṣn/qarya* settlement complex, and the compartmentalization of urban centers all reflected the segmentary nature

²⁰⁶ García, *Andalucía contra Berbería*, p. 10. By contrast, in the era of Almoravid decline the Andalusí Ibn Jubayr espoused the Almohads as the best hope for Occidental Islam: Ibn Jubayr, *Riḥlat Ibn Jubayr*, pp. 49–51.

²⁰⁷ See e.g. J. Guerrero Lovillo, ed., *Las cántigas. Estudio arqueológico de sus miniaturas* (Madrid: Instituto Diego Velázquez, 1949), plates 52 (center left panel), 105 (lower left), and 110.



Map 2: Iberia, c. 1080



Map 3: Iberia, c. 1300

Muslim domination of the Ebro and its demise

of society. This quality was perhaps the single most important factor in determining the survival of Islamic society under Christian rule: it endowed each community of the Furthest March with the confidence to negotiate their terms of existence with the Christian powers and permitted Islamic society here to survive the disappearance of the elite which had ostensibly provided political unity and cultural cohesion. In Andalusī society religious identity was the primary source of ethnic identification. Hence when the 'ulamā' of the peninsula, frustrated at the inefficacy of the *taifa* rulers and alarmed by Christian advances, looked for help, it was from Islamic saviors: the Berber tribes of Morocco, uncultured and foreign, but bearers of an innocent and aggressive piety.

CHRISTIANS AND MUSLIMS: CONTACT AND CONQUEST

The conquest which brought about the demise of the *taifas* of the Ebro region and the expulsion of the Almoravids and the Almohads represented one of several stages of contact between the Christian principalities of the Pyrenees and their Muslim neighbors. In the period of the Caliphate the role of the kings of Pamplona (whose dominion extended east towards Urgell until the foundation of Aragon) and the Catalan counts was that of tributaries, but by the late eleventh century the balance of power had swung in their favor and it was they who were able to demand *parias* from the Muslim rulers of what had been the Furthest March. Although political hegemony in these centuries can be characterized to a certain extent according to religious identity, both Muslim and Christian power were actually fragmentary, manifested by competing entities which vied for supremacy amongst coreligionists as much as against confessional rivals.

The first sections of this chapter examine cross-frontier contact which arose as a consequence of the implication of Christians and Muslims in each others' political struggles, contrasting accommodating trends with the hostile ideologies of Holy War which developed in this same era.¹ The last three sections focus on developments within the Christian kingdom of Aragon and the Catalan counties under the domination of Barcelona. The circumstances of the early conquest of the Ebro region under Alfonso I of Aragon and its consolidation in the late twelfth century were decisive in determining the character of *mudéjar* society in the Crown of Aragon. Two themes which will be treated in detail are the Muslims' ability to negotiate favorable terms of submission, and the effects of post-conquest population redistribution. Administrative restructuring, emigration, and settlement transformed the political, social, and economic character of

¹ I do not intend the words "positive" and "negative" to convey any moral judgment. Political interaction among members of the respective elites was "positive" in the sense that these individuals perceived such interaction as being advantageous and desirable. *Jihād* and Crusade can be said to be "negative" in the sense that their proponents perceived non-bellucose interaction with confessional rivals to be disadvantageous and undesirable.

Muslim domination of the Ebro and its demise

these territories; it did not, however, obliterate the Islamic society of the March, as some historians insist. Rather, the Muslim socio-economic apparatus was adapted, suppressed, transformed, or co-opted as circumstances demanded. The persistence of a substantial Muslim population in the zone, coupled with the institutional immaturity and flexibility of the conquering powers, permitted the emergence of a diverse polyethnic society within a Christian-dominated dynastic polity.

MUSLIM—CHRISTIAN CONTACT ACROSS THE FRONTIER

Much has been made of the character of the Islamic Ebro as a “frontier” region. Such areas are frequently portrayed as zones of separation between rival political and/or social entities, whereas in fact they are also characterized by contact and exchange, both of goods and ideas. Military antagonism was certainly a constant along the border with the Christian principalities, but there were also important bonds between the Muslims and Christians on both sides of the divide. Contacts took place across the social spectrum and in a variety of contexts, as reflected in the cultural blurring discussed in the first chapter. Among the elites contact was effected through political and personal alliances, while in lower social strata it occurred through trade and prisoner-taking.

Political embroilment

In the political sphere the Muslim principalities of the Ebro region (whose number varied at any given moment) and the Christian powers of the southern slopes of the Pyrenees were important players in each other's political intrigues. This commonly translated into a tributary dynamic, with the dominant power of the moment extorting “protection money” from the weaker. Although in the first centuries the Christians had been at the paying end of these relationships, the fall of the Caliphate coincided with a moment of dynastic unity in the Christian lands, and thus the tide turned. In the eleventh century it was normal for *taifa* kingdoms throughout the peninsula to pay heavy indemnities in exchange for security and military support provided by Christian powers. The weight of tribute fell particularly hard on Zaragoza which, bordering on several Christian principalities, at times paid out to Castile, the Catalan counties, Aragon, and Navarre. In normal circumstances, however, payment to any one Christian prince would secure his aid against threats from the others. Thus, a pact signed between al-Muqtadir of Zaragoza and “his friend” (*amicum suum*) Sancho IV of Pamplona (1054–1076) in 1055 stipulated a cash payment in exchange for which the Christian ruler would

Christians and Muslims: contact and conquest

inform Sancho Ramírez of Aragon that if he raided the Hūdid territories of Huesca, Sancho IV would attack him with all of his forces.²

This system of *parías* had the effect of embroiling Muslim and Christian principalities in each others' politics, and through much of the late eleventh century a Castile–Zaragoza alliance faced an entente formed by Aragon, Barcelona, and Muslim Lleida. As a result of this interdependence Christians and Muslims were frequently drawn into military adventures against their coreligionists. Often such operations were an extension of existing rivalries between principalities of the same confessional orientation; Castile's and Aragon's aid to their respective Muslim allies, for example, was a sub-current of the struggle for hegemony between those two kingdoms. Hence, while Zaragoza was paying *parías* to Castile, it expected protection from Christian and Muslim enemies, and Castile was well advised to oblige. On the other hand, diplomatic obligations could draw signatories into adventures in which they had no interest, as when in 1120 Muslim Lleida was induced to pledge a force of two hundred Christian and Muslim cavalry to help Ramon Berenguer III's planned (and ultimately aborted) invasion of Almoravid Mallorca.³

The princes of northern Spain maneuvered amongst each other in a manner which did not ignore confessional divisions, but utilized or disregarded them as it suited their immediate ends. This ambivalence regarding grand ecumenical confrontations is reflected in the fact that while success against the infidel may have been considered praiseworthy, it was not the sole measure of prestige. Aḥmād b. Sulaymān b. Hūd of Zaragoza, for example, took the *laqab* "al-Muqtadir" ("the Powerful") after vanquishing his own brother Yūsuf, rather than any Christian foe.⁴ Generally, rulers used the promise of tribute to manipulate one another in a game of *realpolitik* in which religious motivation was conspicuous only by its absence. Thus, the *Crónica de San Juan de la Peña* recounts how Castile, suffering under Sancho Ramírez's attacks, persuaded the Muslims of Huesca to break their alliance with him. When the Aragonese king turned against his rebellious ally and took Monzón in 1090, Muslim Huesca promised to pay Castile double the *parías* they had been paying to Aragon up to then if the former would help. The Castilians agreed, attacking Vitoria, and drawing off the Aragonese.⁵ Nearly thirty years earlier, in 1063,

² RAH, Abella 9/5185, f. 16v–17r(IV) (1055, eighteenth-century copy), cf. below, n. 13.

³ J. M. Lacarra, *Documentos para el estudio de la reconquista y repoblación del valle del Ebro*, 2 vols. (Zaragoza: Anubar, 1982), I, pp. 84–85, doc. 69.

⁴ Ibn 'Idhārī, *Al-Bayān al-Maghrib*, ed. E. Lévi-Provençal, 3 vols. (Paris: Librairie Orientaliste, 1930), III, p. 224. A *laqab* is an honorific name or title.

⁵ C. Orcástegui Gros, *Crónica de San Juan de la Peña (Versión aragonesa)* (Zaragoza: Institución "Fernando el Católico," 1986), p. 38, chap. 17: 103ff; cf. Zurita, *Anales de la Corona de Aragón*, I, p. 100, chap. 1.31.

Muslim domination of the Ebro and its demise

the *infante* Sancho of Castile had helped al-Muqtadir repulse (and kill) Ramiro I, who was attacking Cinca.⁶ Episodes of this type were common, and al-Bakrī's distinction of "Gallegos" from their rival "Franks" reflects an awareness of Christians' divisiveness which Muslim rulers were eager to exploit.⁷

In addition to sustaining military alliances, treaties facilitated trade, making Andalusi products available to the Christians, whose acquisitive capacities were stimulated by the *parías* and by trade with the Latin world via Catalonia and the pilgrimage routes to Santiago. Treaties with Muslims were taken as seriously as agreements with Christians, and as early as 1064 the *corts* (parliament) of Barcelona ordered that such truces be respected.⁸ Hence, a Muslim source reports that in 1136 Ramiro II executed seven of his nobles for attacking a caravan.⁹ Ramiro may have been using this episode as an opportunity to cow the ever-rebellious Aragonese nobility, but the fact that such draconian punishment could be justified by an attack on Muslims underlines the seriousness with which these pacts were regarded. When such treaties eventually came to the attention of a disapproving Papacy, Celestine III (1191–1198) prohibited diplomatic relations across the religious divide, but this had little effect on the ground, as events of the following centuries show.¹⁰

Diplomatic cooperation between Christian and Muslim principalities was not merely the result of the coercive and tributary nature of their relationships, nor of the advantages accorded by trade; personal contact and interaction between the ruling elites was constant across the ecumenical frontier. From the time of the Muslim conquest intermarriage and military alliances cemented relationships between rulers despite confessional differences and political rivalries.¹¹ The case of al-Mundhir of Zaragoza (1010–1016) is typical; his policy of maintaining cordial, godfatherly relations with Christian princes was reciprocated with their paying court to him. In 1016, for example, he hosted the wedding of Sancha of Castile to Berenguer Ramon of Barcelona (1018–1035), an

⁶ J. M. Lacarra, "Dos tratados de paz y alianza entre Sancho el de Peñalén y Moctádir de Zaragoza (1069 y 1073)," in *Homenaje a Johannes Vincke* (Madrid: CSIC, 1962), p. 123.

⁷ al-Bakrī, *Geografía de España*, p. 21. Arabic chroniclers called the Aragonese "Gallegos" after the Gállego River.

⁸ *Cortes de los antiguos reinos de Aragón y de Valencia y principado de Cataluña* (Madrid: Real Academia de la Historia, 1896), 1: 24 (1064).

⁹ A. Huici Miranda, ed., *Ibn 'Idari: Al-Bayan al-Muḡrib* (Valencia: Gráficas Bautista, 1963), pp. 209–211.

¹⁰ Orcástegui, *Crónica de San Juan de la Peña*, p. 78, chap. 33: 97.

¹¹ Vernet perceives close relations between Muslim and Christian rulers during the dissolution of the Caliphate and a significant "Arabization" of the Christian courts: "El valle del Ebro como nexa entre oriente y occidente," p. 267.

event attended by the Christian nobility of the Pyrenees.¹² The warmth of diplomatic exchange is reflected in letters between Christian and Muslim princes. In a pact of 1069, Sancho IV of Pamplona refers to al-Muqtadir as “his friend Almuktadir Bille, may God exalt him” and the latter responds, “. . . Almuktadir Bille, to his friend King Sancho, God save them . . .”¹³ The language may be little more than diplomatic courtesy, but it implies a level of understanding and a formal acknowledgment of legitimacy. When, according to the *Chronica Adefonsi imperatoris*, the most important rulers of the peninsula paid homage to Alfonso VII, among their number was the Muslim “rex Zafadola Sarracenorum,” his status as infidel apparently compensated for by his rank.¹⁴ Indeed, “Zafadola,” who was none other than Sayf al-Dawla, the exiled heir of the Banū Hūd, provides an exemplary case. With his holdings reduced by the Almoravids to the towns of Rueda and Borja, he went over to Alfonso VII, who apportioned him new territories near Toledo.¹⁵ The Castilian imperial chronicle records Sayf al-Dawla aiding his lord’s campaigns against Alfonso the Battler, and dying while defending Castilian interests in the South.¹⁶ Sayf al-Dawla’s father, ‘Imād al-Dawla, had also been involved in alliances with Christians. Once expelled from Zaragoza, he is said to have offered to cede Alfonso the Battler the town of Tudela in exchange for help against the Almoravids.¹⁷ In 1111 he mounted an unsuccessful attempt to retake Zaragoza with Aragonese aid, having earlier received support against Almoravid attacks on Hudid fortresses near Calatayud.¹⁸

Members of the politico-military elite came into intimate personal contact thanks to the practice of using “infidel” courts as safe havens in exile. Muslim “political” refugees were not uncommon in Christian lands, nor Christians in Muslim courts. Thus, when ‘Amrūs b. Muḥammad of Huesca was overthrown (cf. above, p. 59), he fled to “Sancho ibn García, to whom he was related by marriage”, accompanying his host on raids during his stay.¹⁹ The most famous case is that

¹² Ibn ‘Idhārī, *Al-Bayān al-Maghrib*, III, pp. 176–177.

¹³ “. . . suo amico Almuktadir Bille, exaltet eum Deus . . . Almuktadir Bille ad suum amicum regem dominum Sancium saluet eos deus . . .”: Lacarra, “Dos tratados de paz y alianza,” 131–133, doc. 1.

¹⁴ *CAI*, p. 55, chap. 70.

¹⁵ *Ibid.*, pp. 27–28, chap. 29; cf. Ibn al-Kardabūs, *Tārikh al-Andalus*, p. 147. See above, pp. 60–61, for the fall of the Hūdids of Zaragoza.

¹⁶ *CAI*, pp. 55, chap. 70, 152–154, chap. 191–193.

¹⁷ A. Huici Miranda, “Los Banu Hud de Zaragoza,” p. 8.

¹⁸ Huici, *Ibn ‘Idari: Al-Bayan al-Mugrib*, pp. 133 and 131. According to this account Alfonso had pledged the castle, not the town of Tudela (*ibid.*, p. 128).

¹⁹ “. . . صاهر إلي . . .”: al-‘Udhārī, *Nuṣūṣ ‘an al-Andalus*, p. 68.

Muslim domination of the Ebro and its demise

of Alfonso VI of Castile, who spent his years of princely banishment in Toledo, the city which became his most prized conquest. The dynamic of contact-through-exile continued through the age of the Christian conquest, despite whatever ideological intensification the political struggle between Christian and Muslim powers took on. Thus, in the late 1200s, when the reactionary Almohad regime was supplanted by the Marinid dynasty in Morocco, members of the deposed ruling family sought refuge and employment in – of all places – Christian-colonized Valencia.²⁰

The Cid and his contemporaries

The imprecise quality of the ecumenical frontier on the Ebro was manifest in the actions of individuals. Opportunistic soldiers of fortune served both Muslim and Christian lords, as they endeavored to carve out their own patrimonies from the disintegrating remains of the Caliphate. The Cid was only the most successful and best-known of the seekers of fortune who ranged across eleventh- and twelfth-century Iberia. His story, immortalized in the anachronistically chauvinistic terms of the *chansons* of later centuries, is well known but merits brief reconsideration here.²¹

The Castilian nobleman Rodrigo Díaz de Vivar is most famous for his conquest of Islamic Valencia in 1094 (it was subsequently abandoned before the advancing Almoravids in 1102, three years after his death). However deep his Christian convictions, the Cid apparently did not feel it was inconsistent to fight on the side of the Muslims against Christian powers, and it is extremely doubtful that he saw himself in anything but the vaguest of terms as a participant in a teleologically driven mission to restore Hispania to Christendom. Indeed, if to the Muslims of Valencia he was a dreaded enemy, to Islamic Zaragoza he was a great hero. Even Christian chroniclers do not conceal the high esteem in which he was held by the populace of Zaragoza and the confidence and trust which their kings had in him, and they recount with relish his *hazañas* against the

²⁰ F. D. Gazulla, "Las compañías de zenetes en el Reino de Aragón (1284–1291)," *Boletín de la Real Academia de la Historia* 90 (1927): 180, and E. Lourie, "A Jewish Mercenary in the Service of the King of Aragon," *Revue des Etudes Juives* 137 (1978): 370, n. 15.

²¹ The classic work is Menéndez Pidal's monumental if dated *La España del Cid*, while a recent treatment is Fletcher's *The Quest for El Cid*. The Cid appeared in Muslim and Christian historical and literary accounts even during his own lifetime. See R. Menéndez Pidal, *La España del Cid* (Madrid: Espasa-Calpe, 1969 [1929]), pp. 4–7. He appears extensively in thirteenth-century Christian and Muslim chronicles, as well as panegyric poems devoted exclusively to him. His victory over the Almoravids at Cuarte (1095) was considered remarkable enough that at least one contemporary Aragonese charter was dated in reference to it. R. del Arco y Garay, "Referencias a acacimientos históricos en las datas de documentos aragoneses de los siglos XI y XII," *Estudios de Edad Media de la Corona de Aragón* 3 (1947–1948): 308, doc. 27.

forces of Aragon and Barcelona.²² In fact, he received his famous honorific, *sayyidī* or *sīdī* (Ar., “my lord”) after leading al-Muṭamid of Seville’s forces to a resounding victory over “Almudafar rey de Granada” and his Castilian and Navarrese allies in 1064.²³ During his exile from Castile, he served the *taifa* rulers faithfully, leading Christian and Muslim troops against the mixed forces of Muslim Lleida and Christian Aragon, conducting *razzias*, and engaging in diversionary operations, such as when he drew the Aragonese away from the siege of Muslim Graus.²⁴

Sisnando Davídez is a figure who bears much similarity to the Cid (indeed, they were personally acquainted), although his theater of operations was primarily the South and West. A Mozarab from near Coímbra who had been captured in a raid by al-Muṭaḍid (1041/2–1068/9) of Seville, “Shishnando” became a trusted administrator in that *taifa* kingdom. The chronicler Ibn Bassām recalls bitterly how Sisnando later left to serve Fernando I of Castile in the same capacities: administrator and ambassador. For his services, he received the lordship of Coímbra when that town was captured in 1069.²⁵ Under Alfonso VI he served as ambassador to Zaragoza in 1080 and 1088, and also to Granada, where his negotiations are recalled in the memoirs of the last Zirid king, ‘Abd Allāh (1073–1090).²⁶ Sisnando also implemented Alfonso’s conciliatory policies towards the Muslims and Mozarabs of Toledo, where he served as governor, until the machinations of Queen Constanza and her French partisans supplanted him.²⁷

Álvar Fáñez (or Hāñez), the Cid’s nephew, was another ambiguous frontier figure. An accomplished warrior in his own right, he was sent by Alfonso VI to help install the equally ambivalent Muslim prince al-Qādir in Valencia in 1085.²⁸ Once ruler of Toledo (1075–1080; 1081–1085) and now Alfonso’s vassal, al-Qādir had been deprived of his kingdom and offered the Levantine city as a consolation prize (if he could conquer it). Back in Castile, Álvar carried out *razzias* in Alfonso’s and al-Qādir’s names, leading Muslim and Christian adventurers on incursions

²² See, for example, *COR* 339, 344, 356, 389. Ibn ‘Idhārī recalls the Banū Hūd’s support of the Cid in his attacks on their Muslim rivals: Huici, *Ibn ‘Idari: Al-Bayan al-Mugrib*, p. 66.

²³ *PCG*, 522, chap. 849.

²⁴ Orcástegui, *Crónica de San Juan de la Peña (Versión aragonesa)*, p. 34, chap. 16: 50ff.

²⁵ See R. Menéndez Pidal and E. García Gómez, “El conde mozárabe Sisnando Davídez,” p. 29; F. J. Simonet, *Historia de los mozárabes de España*, III, pp. 655–657 and IV, p. 743.

²⁶ Menéndez and García, “El conde mozárabe Sisnando Davídez,” 30; Lévi-Provençal, *Mudhakkārāt al-Amīr ‘Abd Allāh*, p. 73; cf. A. Tibi, *The Tibyān. The Memoires of ‘Abd Allah b. Buluggīn Last Zirid Amīr of Granada* (Leiden: Brill, 1986), p. 90. ‘Abd Allāh, like so many other *taifa* kings, was deposed by the Almoravids.

²⁷ Menéndez and García, “El conde mozárabe Sisnando Davídez,” pp. 38–39.

²⁸ *PCG*, II, p. 549, chap. 977.

Muslim domination of the Ebro and its demise

into Hūdid territory.²⁹ An Arabic historian of Valencia who reviled the Muslim accomplices of the Cid also attributed the most gruesome of atrocities to the men of Álvaro Fáñez.³⁰

The Catalan captain “Reverter” was a similarly ambivalent character, but based on the Mediterranean’s southern shore. He presided over the Christian community held captive in the Maghrib, but went on to become one of the Almoravids’ most important military commanders, “lord of all of his troops” (“dux omnium bellorum suorum”), according to the Alfonsine chronicle. He served them until his death, when in the face of Almohad advances, his children and their community returned to Christian lands.³¹ Aside from such well-known figures, individuals of lesser rank must have frequently found themselves in the service of their confessional rivals, although only occasional notices crop up.³² Hence, García Ordoñez de Nájera and Gonzalo Núñez de Lara y Osma, two Castilian frontier noblemen, appear fighting in the service of their Muslim neighbors in the unsuccessful defense of Huesca in 1096.³³ This tradition of cross-ecumenical service, in which so many Christians and Muslims participated, continued through the thirteenth century.³⁴

From the earliest times, military men on both sides of the religious divide felt that they could “do business” with each other. Thus, the commander of the Christian fortress at San Esteban de Gormaz actually handed over his fortress to Muslim forces on two occasions, while the chronicler Bernat Desclot (d. 1289?) attributes Alfonso I’s death at Fraga to the betrayal of a Christian knight – an enemy of the king who brought

²⁹ “Then Álvaro Fáñez made a raid into the territory of Ibn Hud . . . and a great company of those evil Muslims which had gathered around him and other soldiers of fortune went with him.” (“Entonces fizo Aluar Hannez una caualgada por tierra de Abuenhut . . . et fueron con el grand companna daquellos moros malféchores que se le acogien et de otros almoguares”: *PCG*, II, p. 552, chap. 881.)

³⁰ Ibn Kardabūs, *Tārīkh al-Andalus*, pp. 86–87; in Maillo’s translation, 128–129. (*Historia de al-Andalus*, trans. F. Maillo Salgado, Madrid: Akal, 1986.) These may be “stock” accusations, resembling as they do the atrocities allegedly committed against the Almohads (see above, p. 67).

³¹ *CAI*, pp. 53, chap. 106, 155–156, chap. 196, and 162, chap. 205. See also J. Alemany, “Milicias cristianas al servicio de los sultanes musulmanes del Almagreb,” in *Homenaje a D. Francisco Codera* (Zaragoza: Mariano Escar, 1904), 135–136. The Almoravids had deported the Christian community of al-Andalus following Alfonso I’s raid. By abetting the Aragonese king, the Mozarabs were held to have abrogated their pact of *dhimma*.

³² Simon Barton’s recent article “Traitors of Faith? Christian Mercenaries in al-Andalus and the Magreb, c. 1100–1300,” in *Medieval Spain. Culture, Conflict and Coexistence*, ed. R. Collins and A. Goodman (New York: Palgrave Macmillan, 2002): 23–45 studies Reverter and other contemporary Christian soldiers who fought in the service of Muslim princes.

³³ In the Aragonese account “García de Traba de Nájera” and “Gonçalbo” (Orcástegui, *Crónica de San Juan de la Peña (Versión aragonesa)*, p. 39, chap. 18: 15), and in the *Crónica de once reyes*, “conde don Garçie” (*COR*, pp. 230–231).

³⁴ See below, pp. 244 and 292.

Christians and Muslims: contact and conquest

about his defeat by plotting with the town's Muslim "senyor."³⁵ Bonds arising out of a commonality of vocation led aristocrats of both faiths to a common ground, but even regular soldiers, such as the Christian followers of the Cid, or the Muslims led by 'Imād al-Dawla at Cutanda or by Alfonso I in his defence of Burgos against Queen Urraca in 1113, are likely to have cultivated soldierly bonds with their religious rivals.³⁶ Broad contact and ambivalent relations between the warring elites of Christendom and Islam of this era was by no means an exclusively Iberian phenomenon, but can be observed wherever members of the two faiths came into contact. Indeed, the same dynamic characterized contemporary politics in the Eastern Mediterranean in the crusading era.

Exchange and communication

Cross-frontier contact also took place in peaceful contexts, such as trade. This can be observed indirectly in the Christian adaptation of Muslim weights and measures in the period preceding the Christian conquest, and directly in trade agreements, such as that between Navarre and Zaragoza to maintain open borders.³⁷ Further evidence can be found in material artefacts, such as the fragments of tenth- and eleventh-century Islamic pottery found in Jaca, which show that manufactured goods from the *Thaghr* made their way across the frontier even during periods of instability and hostility.³⁸ There is no reason to assume that such trade was disrupted by the Christian military successes of the twelfth century; indeed, the Muslim convoy whose attack so angered Ramiro II (see above, p. 74) was on its way to Christian Huesca. As was the case across the Mediterranean, political and military confrontation between Muslims and Christians served paradoxically to encourage trade by opening new markets to merchants and making new products available to consumers.

But exchange did not take the form only of merchandise, as the flow of technology and ideas between the *Thaghr* and the Christian lands demonstrates. On the Christian side, the monasteries of the Pyrenees played an early part in the exchange of ideas, as can be seen from Gerbert's

³⁵ F. Galtier Martí, "La Extremadura de Hispania, Algunos aspectos de la vida cotidiana en las fronteras aragonesas del año mil," in *La Marche Supérieure d'al-Andalus et l'Occident chrétien* (Madrid: Casa de Velázquez, 1991), 154; Bernat Desclot, "Llibre del rei en Pere," in *Les quatre grans còdiques*, ed. Ferrán Soldevila (Barcelona: Selecta, 1971), pp. 406–407.

³⁶ L. Torres Balbás, *Algunos aspectos del nudejarismo urbano medieval* (Madrid: Maestre, 1954), p. 25.

³⁷ Constable, *Trade and Traders in Muslim Spain*, pp. 47 and 46. For the treaties see Lacarra, "Dos tratados de paz," p. 92.

³⁸ Galtier, "La Extremadura de Hispania," pp. 155–156.

Muslim domination of the Ebro and its demise

study of Arabic astrological works at Ripoll in the tenth century.³⁹ In Muslim areas the forum of contact was the court, the seat of political and economic power and the locus of patronage. Thus, at Zaragoza one finds the *faqīh* Abū 'l-Wahīd al-Bājī conducting a *disputatio* by correspondence with the anonymous "Monk of France," who had been sent to convert the *taifa* ruler al-Muqtadir.⁴⁰ Naturally, given its relative sophistication, Muslim rather than Christian society had more to offer on the cultural and technical level. Hence, exchange and transmission of this type gained momentum after the Christian conquest, when the Latin principalities were in a better position to access Arabic technology and texts.

Prior to this, additional contact came as a result of the raiding which characterized life in the frontier zone and stimulated prisoner-taking. Some captives remained permanently in the lands of the infidel and were sold to foreign slave markets, while others were held among their captors only until a ransom could be arranged. For example, in a document of 1118 Eneco Sanz de Lanes recalls how he, his wife, and their two children were abducted during an Almoravid raid on Huesca, and how they remained in captivity for six years until a Christian nobleman provided a bond for their release.⁴¹ Reports from a variety of sources, including monastic chronicles, *fatāwā*, references in charters, and representations in contemporary art testify to the widespread taking and ransoming of prisoners by Christians and Muslims. The *carta-puebla* of Belchite (1119) mentions that Muslim and Christian agents conducted such negotiations, and in the thirteenth-century Christian religious orders were founded with the goal of liberating Muslim-held captives.⁴² While the danger of capture must have heightened awareness of the frontier between Islam and Christendom and contributed to a popular fear of "the infidel," it must be recalled that these were uncertain and violent times at best and common folk frequently feared as much from their coreligionists as from foreign enemies. In an age in which raiding and trading were at times difficult to differentiate, prisoner-ransoming may be evaluated in the context of trade between Christians and Muslims, a phenomenon which contributed to the potential for communication between peoples

³⁹ D. Dunlop, "A Christian Mission to Muslim Spain in the Eleventh Century," *Al-Andalus* 17 (1952): 260. Gerbert went on to become Sylvester II (999–1003), a pope whose penchant for Arabic learning earned him a later reputation as a sorcerer.

⁴⁰ For the details of this controversial episode, see Turk, *El reino de Zaragoza*, pp. 73–153, as well as Dunlop, "A Christian Mission to Muslim Spain in the Eleventh Century," 259–310, and A. Cutler, "Who was the Monk of France and When Did He Write?" *Al-Andalus* 28 (1963): 149–169.

⁴¹ del Arco, "Referencias a acaecimientos históricos," p. 319, doc. 53 (1118) and 320.

⁴² *CODOIN*, VIII.i, p. 8.

Christians and Muslims: contact and conquest

of the two faiths.⁴³ Although it may seem insensitive to classify human traffic in such dry economic terms, it is hardly inappropriate, given that to this day economic exchange not infrequently has individual human misery as a tacitly accepted by-product.

Stepping back from the canvas of Christian–Muslim relations in the twelfth-century Ebro valley one discerns a faint sense of regional identity among people on both sides of the religious divide, a bond which at times and in certain circumstances transcended that very divide. Boundaries of language, ethnicity, culture, and even religion were porous, and the identity of each of this region's peoples cannot be reduced absolutely to "Arabo-Islamic" or "Latin Christian." But neither acculturation, nor the symbiotic aspects of cross-frontier relations, nor the particularity of the Islamic society of the *Thaghr* give us a complete picture of the realities of the peoples of the eleventh- and twelfth-century Ebro watershed. We must also consider the deliberately confrontational expressions of their identity, *jihād* and *Reconquista* (along with the latter's sister, Crusade), and consider the degree to which sectarian antagonisms acted as determinants in shaping attitudes and actions.

FRONTIER IDEOLOGIES: *JIHĀD*, CRUSADE AND *RECONQUISTA*

Islam lays down a fairly clear politico-religious program in regard to non-believers: according to the general model developed in the seventh century, all lands are to be subdued by Islam so that everyone may have the chance to convert, and live as Muslims if they choose. Thus, the world was conceived of in two parts: the *dār al-Islām* ("abode of Islam") and the *dār al-ḥarb* ("abode of war"), and every believer was obliged to serve periodically under arms as an expression of faith in order to help advance the frontiers of the Islamic world.⁴⁴ This is the most visible manifestation of Islamic *jihād*, or "struggle." Literally, *jihād* includes any "effort directed towards a determined objective," and encompasses efforts to approach ideal comportment on both the individual and the community level, as an internal moral struggle or an external political one. For the present discussion it is this second definition as a military activity for the expansion or defense of Islam – usually translated as "holy war" – which is most relevant.⁴⁵ In the early phase of the Islamic domination in the

⁴³ By analogy, Ibn Jubayr marveled that at Damascus Muslim merchants embarked for the West bearing merchandise, while Christian captives were led into the city for sale: *Rihlat Ibn Jubayr*, p. 245.

⁴⁴ Later an intermediary *dār al-'ahd* ("abode of truce") evolved.

⁴⁵ EI^{CD}, "Glossary and Index of Technical Terms," s.v. *Djihād*. Although the concept is Quranic in origin it must not be analyzed ahistorically, without taking into account the transformation it underwent in the twelfth century in relation to the Crusades in the East.

Muslim domination of the Ebro and its demise

peninsula, the undertaking took the form of traditionally biennial raids against Christian neighbours by the emir (or later, caliph) or by local magnates of the *Thughūr*.⁴⁶ Naturally, these *ghazawāt* offered considerable earthly rewards in addition to the accumulation of heavenly merit, and the chronicles record them in an impassive matter-of-fact manner which belies any religious spirit. Conversely, the importance of material and political factors in military struggles between Christians and Muslims meant that ideologically abstract and institutionalized hostility was conveniently laid aside when expediency demanded.

Jihād in al-Andalus

Reports of Christian–Muslim military encounters really only seem to take on an overtly polemical or ideological aspect after the great *fitna* of the early eleventh century, when the newly divided and weakened Islamic presence found itself in competition with strong and dynamic Christian-ruled principalities. At that moment, events across the Islamic world conspired to undermine the Andalusi position. Within al-Andalus a range of political, ethnic, and economic factors contributed to this trend, while abroad the growing power of North African tribes weakened the political domination of the Caliphate and interrupted trade and the flow of gold from central Africa.⁴⁷ Such disruptions affected the *‘ulamā’*, who may have seen their personal economic positions suffer as a result; they would have been further aggravated by the extra-canonical taxes on which the *taifa* kings came to depend on ever more heavily for the payment of *parías*. Finally, in 1064 an event occurred which reverberated across al-Andalus and which seemed to place political events firmly in a religious context. Local Christian forces, aided by a considerable Norman and Frankish contingent, besieged Barbastro and obtained the surrender of the town, demanding its evacuation in return for safe passage for the inhabitants. As the refugees departed, however, the besiegers broke their word and attacked them, killing the men and carrying off the women and loot.⁴⁸ Although Barbastro was regained in a counter-attack and the Normans therein received their just desserts, the brutality

⁴⁶ The traditional summer and winter *ghazawāt* (*ṣā’ifa* and *shitā’*) carried out by the emir/caliph were supplemented by smaller-scale raiding. (See e.g. al-’Udhri, *Nuṣūṣ ‘an al-Andalus*, p. 31). A *ghazaw* is a raid.

⁴⁷ See P. Scales, *The Fall of the Caliphate of Córdoba, Berbers and Andalus in Conflict* (Leiden: Brill, 1994).

⁴⁸ Al-Ḥimyari’s account concludes with an elegiac poem (*qaṣīda*) by the *faqīh* Ibn al-’Assāl urging the fight against the Christians: *Al-Rawḍ al-mi’ṭār*, pp. 40–41; cf. Huici Miranda, *Ibn ‘Idari: Al-Bayan al-Muḡrib*, III, p. 225.

of the event shocked the Islamic West, contributing to a sense of a confrontation between Christendom and Islam as such. Henceforth many Islamic writers would describe the failing fortunes of Muslim Iberia in terms of a larger sectarian struggle. In this spirit, al-Musta'in II b. Hūd is described as a "martyr" merely because he died returning from a *ghazw* against Christian lands, despite that fact that he was a typical *taifa* pragmatist ever-ready to compromise with the infidel for his own ends.⁴⁹ Ibn Kardabūs offers the standard analysis of the 'ulamā' when he cites the moral degeneracy of the *taifas* and their payment of the "jizya" (the *parias*) to Christians as the root of Islamic political debility in Iberia.⁵⁰

As the Christian kingdoms made military gains the 'ulamā' looked for Islamic solutions to their political problems and agitated against the *taifa* kings and in favour of the intervention of the rigorously orthodox (and militarily powerful) Almoravids of the Maghrib. The advent of the latter, however, and their campaign to subdue the independent *mulūk* was not met with universal enthusiasm. There was considerable antagonism on both sides, as discussed above. These tensions shattered the already fractured Andalusi consensus, provoking a crisis of 'aṣabiyya ("community solidarity"), to borrow the terminology of Ibn Khaldūn.⁵¹ In view of this, the dissipation through the twelfth century of the spirit of *jihād*, which Urvoy characterizes as a collective duty dependent on a degree of confidence between the rulers and the Islamic populace, is not surprising.⁵² In fact, it seems to have endured longest in the lands of the March, where the "native" Banū Hūd continued to rule with the tacit approval of the Berber newcomers, and thus maintained a level of cohesion and consensus with the population at large which maintained them in power until the time when political crisis became undeniable.

One proof of the power of an ideology may be sensed in the degree to which it is applied for its own sake, especially when it seems to run counter to the immediate individual interests of its adherents. On this count *jihād* does not rate well in the history of the peninsula at any time. Even in

⁴⁹ Ibid., pp. 125–126. A Christian charter of 1110 observes the event dryly, referring to the year 1110 as "the year in which al-Musta'in was around Valtierra, and soldiers of Aragon and Pamplona killed him" ("anno quo mortus [sic] est Almostaen super Valterra, et occiderunt eum milites de Aragone et de Pampilona . . ."): del Arco, "Referencias a acaecimientos históricos," p. 317, doc. 49.

⁵⁰ Ibn al-Kardabūs, *Tārikh al-Andalus*, p. 77. Ibn al-Athīr cites the same causes for the ultimate loss of the March in the middle of the twelfth century: *Annales du Maghreb et d'Espagne*, p. 567.

⁵¹ The fourteenth-century Tunisian savant Ibn Khaldūn set out to compose a universal history, the Introduction (*Muqaddima*) of which laid out the principles on which he believed human history to be founded.

⁵² D. Urvoy, "Une étude sociologique des mouvements religieux dans l'Espagne musulmane," pp. 339–340. On the other hand, some *fuqahā'* of al-Andalus argued against an aggressive posture vis-à-vis *jihād*: ibid., pp. 355–356.

Muslim domination of the Ebro and its demise

the moments of greatest crisis, there were Muslims prepared to cooperate with the Christian aggressors, whether for personal benefit or in service of some cause which they considered to have priority. Such was the case with Imād al-Dawla of Zaragoza, but also with the other Muslims who surrendered their sovereignty to the forces of Alfonso I of Aragon with apparent indifference, or who preferred to jockey for position among themselves rather than close ranks against the Christian advance. Even apparent demonstrations of Islamic solidarity may be deceptive. The ten thousand Christian heads collected by the Almoravids in the wake of their resounding victory over Castilian forces at Zalaqa (1086) and sent on tour through the Muslim cities of the peninsula were certainly an expression of Berber might against the infidel *Ifranĵ*, but must also have been intended as a strong message for independent-minded Andalus. ⁵³ For their part, and despite their elaborate posturing, neither the Almoravids nor their ever more “fundamentalist” rivals and usurpers, the Almohads, followed programs which pursued “Islamic” goals clearly distinguishable from their own political ends, however carefully they sought to publicly legitimize their politics with religious authority.

Politics of expediency

Even the most reactionary religious factions in the peninsula were prepared to negotiate with the enemy, as did the Almohads when they offered their protection to the monasteries of Rueda and Poblet in 1217, or joined forces with Christian powers, such as the Kingdom of León. ⁵⁴ Half a century earlier, on the other side of the divide, Ramon Berenguer IV called on Muslim aid when backed to the wall in his campaign in the Pallars in 1170, although the pressure of pious opinion later required him to public penance for this breach. ⁵⁵ Chronicles recount that after the Battle of Alarcos (1195), Alfonso IX of León (1188–1230) joined forces with the Almohads, “allied in an alliance of impiety” (“colligati colligatione impietatis”) and embarked on a *razzia* of untempered violence against Castile, an event which a chronicle of Teruel recounts as a great betrayal (“grant

⁵³ al-Fāsī, *Rawd al-qirtās*, trans. A. Huici Miranda, 2nd edn., 2 vols. (Valencia: Nacher, 1964), II, p. 288. *Ifranĵ* (“Frank”), like *Rūm* (“Roman”), was one of the standard generic terms for Latin Christians.

⁵⁴ For Rueda, see C. Contel Barea, *El Císter zaragozano en el siglo XIII y XIV: Abadía de Nuestra Señora de Rueda de Ebro*, 2 vols. (Zaragoza: Institución “Fernando el Católico,” 1977), II, p. 12, doc. 57; for Poblet, R. Dagorn, “Le document almohade de Poblet (Nouvelle publication amendée et mise à jour),” *Islamochristiana/Dirāsāt Islāmiyya Masihīyya* 7 (1981): 147–166.

⁵⁵ M. Zimmerman, “Le rôle de la frontière dans la formation de la Catalogne (IX–XII^{ème} siècle),” in *Las sociedades de frontera en la España medieval* (Zaragoza: Universidad de Zaragoza, 1993), p. 18.

traicion”) which claimed many Christian captives.⁵⁶ Although temporary alliances with the infidel may indeed have been seen as beneficial or necessary to the fulfilment of larger “Islamic” or “Christian” goals, it is clear that this lack of religio-ethnic solidarity and moral resolve demonstrated by the various principalities of contemporary Iberia was the result of simple pragmatism. Correspondingly, the ideological counterparts of *jihād* in contemporary Christian society, the ideals of *Reconquista* and Crusade, played an analogous role: justifying actions in certain situations, while answering a need to express a sense of identity and purpose. As such, they can hardly be interpreted as causes or determinants of events, certainly not on any grand scale and normally not when they came into conflict with the ambitions of those individuals who were their purported champions.

In order to determine to what degree notions of Reconquest and Crusade shaped the events of this era, one must consider when such ideas arose, among whom they were current, and in what circumstances they were given expression or ignored.⁵⁷ An appropriate starting point is the legend of Covadonga, according to which Pelagius (or Pelayo), a survivor of the Visigothic elite, defeated a Muslim expeditionary force near Covadonga in the mountainous Atlantic littoral (in 718 or 722).⁵⁸ In referring to the event, the *Crónica najarense* exaggerates what was probably a small Muslim party into a vast army, over which the lucky hero prevails with divine succor. So, it proclaims, “our hope is Christ, through whom . . . Hispania may be saved and the army of the Gothic people renewed . . .”⁵⁹ How ironic that, according to the same chronicle, Pelayo was not fighting in order to save “Yspania” from the infidels, but rather to avenge himself on Tāriq, the evil (*nefandus*) Ishmaelite who had ravished his daughter.⁶⁰ In short, in the legendary account the hero’s antipathy to Muslim domination was born of personal and mundane happenings, but came to be expressed in terms of a monumental contest of Islam

⁵⁶ Desamparados Cabanes, *Crónica latina de los reyes de Castilla*, pp. 27–29; *PCG*, II, p. 682, chap. 1003; F. López Rajadel, *Crónicas de los jueces de Tenuel* (Teruel: Instituto de Estudios Turolenses, 1994), p. 76; from “AHT,” an eighteenth-century copy.

⁵⁷ The history of medieval Iberia and Modern Spain and, most particularly, the role of the various ethnic or cultural groups involved are highly charged and unfortunately have often been obscured by historians’ political convictions. J. N. Hillgarth offers an insightful overview in “Spanish Historiography and Iberian Reality.” P. E. Russell’s “The Nessus-shirt of Spanish History,” *Bulletin of Hispanic Studies* 36 (1959): 219–225, may also be of interest.

⁵⁸ This was the origin of the Kingdom of Asturias.

⁵⁹ “spes nostra Christus est, per quod . . . sit Yspanie salus et Gotorum gentis exercitus reparatus . . .”: Ubieto Arteta, *Crónica najarense*, p. 47, chap. 2: 7.

⁶⁰ *Ibid.*, pp. 45–46, chap. 2: 4. Unlike the indigenous *Crónica mozárabe*, the *Najarense* betrays very little familiarity with Arabo-Islamic history. (cf. *ibid.*, pp. 45ff.). For the account of the battle at Jerez, see *ibid.*, p. 44, chap. 1: 14.

Muslim domination of the Ebro and its demise

and Christianity. The tale itself, obviously based on a literary *topos*, was probably written in the middle of the twelfth century by a French monk at Nájera, a member of a foreign ecclesiastical order which had an interest in promoting both a sectarian and confrontational vision of the history of the peninsula and sponsoring a “political” identity for “Hispania”.⁶¹ But it is ironic that the author of this legendary treatment unintentionally encapsulated what was undoubtedly in reality the true nature of the so-called “Reconquest”: a conjunction of the personal political aims of the protagonists, expressed and rationalised *post factum* by a religio-political ideology.

Crusade and Reconquest

There is no denying that there was some understanding that the peninsula had been once Christian, had been conquered by Muslims, and was to be returned to Christian rule. Thus, a tenth-century Navarrese donation laments that “this having been pre-ordained by [their] sins, the inhabitants of Hispania were handed over . . . to the power of the Muslims”, while an early twelfth-century chronicle of Sahagún maintains “Spain was wounded and put to the most cruel knife of the infidel” in return for its sins.⁶² A few decades previously, Alfonso VI of Castile had clearly advocated a Christian ‘re’-conquest when his ambassador, Sisnando Davídez, explained to the hapless ‘Abd Allāh b. Bulughghīn of Granada that the *parias* were intended to sap his strength as a prelude to such an operation.⁶³

The sentiment of Reconquest is expressed in a variety of contexts, from passing references in charters to explicit manifestos. Thus an Aragonese donation of 1092 refers to the aim of expelling the Muslims from the peninsula:

in order to recover and expand the Church of Christ, for the destruction of the pagans, the enemies of Christ, and the edification and advancement of the worshipers of Christ, so that the kingdom invaded and captured by the Ishmaelites might be liberated to the honor and service of Christ, so that all the worship

⁶¹ Recall the Andalusī legend of “Count” Julian (Yulyān) of Ceuta, who instigated Ṭāriq’s invasion in revenge for Roderic’s seduction of his daughter in 710/711. See, for example, L. Molina, ed., *Fath al-Andalus (La conquista de al-Andalus)* (Madrid: CSIC, 1994), pp. 21–22.

⁶² “predestinandis facinoribus acole Yspanie traditi essent . . . in manus Sarracenorum”: RAH, Abad y Lasiera 9/3986, f. 54r (959, nineteenth-century facsimile); “España fue ferida e metida al cuchillo muy cruel de los ynfeles . . .”: Ubieto, *Crónicas*, 10, chap. 3; cf. Ubieto Arteta, *Colección diplomática de Pedro I de Aragón y Navarra*, pp. 251–253, doc. 20.

⁶³ Lévi-Provençal, *Mudhakkarrāt al-Amīr ‘Abd Allāh*, p. 73 (cf. Tibi, *The Tibyān*, p. 90).

Christians and Muslims: contact and conquest

of the unbelievers having been expelled, and the filth of nefarious error having been cast out . . .⁶⁴

Similarly Pedro I's dedicatory donation to the Cathedral of Huesca (1097) refers to 460 years of cruel oppression of Christian lands by Muslims.⁶⁵ And in order to bind himself to his oath with Sancho IV of Pamplona, al-Muqtadir of Zaragoza swore that if he broke his word he would depart for Mecca never to return.⁶⁶ Indeed, the custom of Christian kings of making grants of territories which were under Islamic rule and maintaining episcopal seats in exile (such as Jaca, standing in for Huesca) reveals both a sense of continuity and a faith in the return of Christian rule. Typical is the tenth-century promise by García Sánchez I of Pamplona (926–970) of two churches in Agreda and Tarazona (as yet firmly under Muslim control) to the monastery of San Millán. But caution must be exercised in accepting apparently anachronistic donations, given the propensity of the monks to forge documents in support of later jurisdictional claims.⁶⁷ Finally, divine intervention in the shape of a saintly inspired *deus ex machina* or the personal assistance of Saint James "Mata-moros" in battle indicates that local military/political struggles could be expressed on terms of the Christian–Muslim struggle.⁶⁸

But the ideals of Reconquest and Christian unity tended to manifest themselves in specific scenarios, when at all. Al-Kardabūs' "vile and perverse" Muslims had their counterparts in the "multitude of false Christians" who went down in defeat outside Huesca against the forces

⁶⁴ "ad recuperandam et dilatandam Xristi Ecclesiam, pro destructiēne [sic] paganorum, Xristi inimicorum, atque edificacione uel profectu Xristicolarum, ut regnum ab Ismaelitis inuasum et captiuatum, Xristi liberaretur [sic] ad honorem et seruicium, ut expulso inde [sic] omni gentis incredulitate, errorisque nefarii eliminata spurcicia . . .": J. Salarrullana y de Dios, *Documentos correspondientes al reinado de Sancho Ramires* (Zaragoza: M. Escar, 1907), pp. 188–189, doc. 48.

⁶⁵ Durán Gudiol, *Colección diplomática de la catedral de Huesca*, I, pp. 89–91, doc. 64. Pedro, as was his custom, signed the deed in Arabic characters.

⁶⁶ Cited above, n. 2. This curious clause might be a copyist's innovation.

⁶⁷ A. Ubierto Arteta, *Cartulario de San Millán de la Cogolla (759–1076)* (Valencia: Anubar, 1966), p. 84, doc. 72.

⁶⁸ For saintly intervention in aiding the escape of Christian captives, see J. M. de Cossío, "Cautivos moros en el siglo XIII," *Al-Andalus* 7 (1942): 49–93. The development of the myth of Saint James as an agent of the Reconquista as interpreted by Castro (*España en su Historia*, Chap. 4, pp. 107–187) has been superseded by recent work. R. Fletcher summarizes the new perspective in *Saint James's Catapult. The Life and Times of Diego Gelmírez of Santiago de Compostela* (Oxford: Clarendon, 1984), pp. 293–300. The earliest claim for the saint's intervention in battle is at Clavijo in 844, but it was not until the late twelfth century that he intervened or was invoked with any frequency. Saints, like bishops, seem to have been aware of political boundaries, as James showed in yielding to George (Jordi), whose saintly diocese was the Crown of Aragon. Jaume I, who did not benefit personally from George's intervention, nevertheless notes that he had been seen often by Christians and Muslims: Jaume I, "Crònica o llibre dels feits," in *Les quatre grans cròniques*, p. 48, chap. 84. A fourteenth-century chronicler notes George's appearance at the siege of Huesca in 1096: Pere d'Arenys, *Chronicon*, ed. José Montalvo (Valencia: Anubar, 1975), pp. 107–108, chap. 36.

Muslim domination of the Ebro and its demise

of Muslim Zaragoza, and Alfonso I's alleged depredations against the Castilians during the war of 1113–1116 rivaled any outrages committed by “infidels.”⁶⁹ In any event, the reconquering “impulse” did not translate into a thorough or universal hatred of Muslims as such; they continued to be perceived variably in both ideologically loaded and neutral modes. This ambivalence will become clear through the course of this work, but for the time being it will suffice to recall Alfonso VI's death as recorded in the chronicles of Sahagún. On one hand they hyperbolically record the mourning of the king's Christian, Muslim, and Jewish subjects, but they continue, “Today the sun shines on the Muslims and infidels, and looms darkly over the Christians.”⁷⁰ The ambiguous attitude towards Muslims, as political enemies but peaceful subjects, continued through the thirteenth century. Later documents, such as Pere II's letter to the Archbishop of Narbonne bidding him rejoice that the Muslims of Biar had been expelled from their town, rings hollow when one considers the same monarch's conciliatory policies towards the very “infidels” who had rebelled against himself and his father, Jaume I, in Valencia.⁷¹

The Crusade ideal which emerged in the late eleventh century was an expression rather than a determinant of the Muslim–Christian interaction in the peninsula, as much as that of the Reconquest. As neighbors, Christians and Muslims had been battling and bartering in Iberia for four hundred years, and they continued to do so as the ecumenical frontier was pushed back over the Straits of Gibraltar. The thesis proposed by some recent historians, that the development of a Crusade ideology heralded some revolution in the policies and attitudes of Christian princes towards Muslim peoples, is not reflected in events in Iberia in the twelfth century (nor, for that matter, in the thirteenth). True, the campaign against Barbastro of 1064 and the aborted crusade of 1117 against Zaragoza express a deliberate connection between the military events in the peninsula and celestial affairs, and they did encourage non-Iberian soldiers to participate in these attacks; but the campaigns themselves (and the subsequent military history of the Reconquest) fit comfortably in the general pattern of military expansion and politics of the indigenous Christian kingdoms.⁷²

⁶⁹ “falsorum christianorum multitudine”: Ubieto, *Colección diplomática de Pedro I de Aragón y Navarra*, pp. 251–253, doc. 20 (1097); A. Ubieto Arteta, ed., *Crónicas anónimas de Sahagún* (Zaragoza: Facsimil, 1987), p. 33, chap. 20. Compare this account with the “friendly” chronicle of San Juan de la Peña: Orcástegui, *Crónica de San Juan de la Peña (Versión aragonesa)*, pp. 45–46, chap. 19: 107ff.

⁷⁰ “Oy en este día el sol es nascido a los moros e ynfieles, e es mucho tenebroso a los christianos”: *ibid.*, pp. 25–26, chap. 17.

⁷¹ ACA, C., reg. 42, f. 123r (11 August 1279). For the rebellions see e.g. ACA, C., reg. 196, f. 164v–165v (confirmed on 1 April 1298 by Jaume II).

⁷² J. M. Lacarra, “La reconquista de Zaragoza por Alfonso I,” *Al-Andalus* 12 (1947): 78. The Council of Toulouse (1117) declared the mission against Zaragoza to be a Crusade. Alexander III

Christians and Muslims: contact and conquest

Nor did religious or political solidarity among the Christian princes cease to be little more than a matter of convenience. In the wake of the Battle of Alarcos and under pressure from Castile, Sancho VII of Navarre (1195–1234) is said to have “fled to the Moroccan king, imploring his help and begging for an alliance.”⁷³ Obviously, in 1195 the kings of both Navarre and León considered Castile more of an enemy than the Muslims. In the final analysis self-preservation and expediency exercised more political force than any consciously or unconsciously expressed ideology. The twenty-year truce signed by Sancho VI of Navarre (1150–1194) and Alfons I in 1168, which agreed to respect the previous arrangements they had made concerning which Muslim territories they would take, was a practicality – a Molotov–von Ribbentrop pact uninformed by ideological content.⁷⁴ The many passing references in charters and grants to territories conquered “for the benefit of Christianity and the destruction of the Muslims” sound little more than formulaic; they are as indicative of a conscious religious spirit as the sign of the cross which a churchgoer automatically makes upon facing the altar.⁷⁵

THE SHAPING OF CHRISTIAN INSTITUTIONS AND SOCIETY IN THE PYRENEES

Even while the Caliphate was at its most powerful, Muslim political and military influence tended to dissipate as it ascended the slopes of the Pyrenees, where the peoples of the high valleys found themselves relating to the Islamic presence primarily as tributaries and as victims of more or less regular raiding. Stretching east from the Gulf of Vizcaya through the mountains, the eleventh-century Kingdom of Pamplona (later Navarre) exercised a precarious sovereignty over the valleys of Aragon, Ribagorza, and “Sobrarbe.” The Mediterranean littoral as far south as Barcelona was relinquished by the Muslims in the late eighth century, and in what was to become Catalonia proper, local counts and monastic houses ruled over tiny principalities and endeavored to control as best they could the adventurous settlers who assarted the “barren and depopulated” (*heremis et despopulata*) frontier zone. But documents which refer to apparently uninhabited lands must be interpreted with caution, as it seems that the

(1159–1181) had granted indulgences to the Normans involved in the Barbastro attack. Fletcher and Ferreiro argue that the sources do not support the case of the Barbastro campaign as a “proto-Crusade”: see R. Fletcher, “Reconquest and Crusade in Spain c.1050–1150,” *Transactions of the Royal Historical Society* 37 (5th series) (1987): 31–48, and A. Ferreiro, “The siege of Barbastro (1064–1065): A Reassessment,” *Journal of Medieval History* 9 (1983): 129–144.

⁷³ Desamparados, *Crónica latina de los reyes de Castilla*, pp. 29–30.

⁷⁴ ACA, C., Alfons I, pergs., carp. 43, no. 64 (18 December 1168).

⁷⁵ “ad bonum Christianitatis et destruccionem Saracenorum”: ACA, C., Alfons I, pergs., carp. 45, no. 172 (February 1169).

Muslim domination of the Ebro and its demise

Latin *heremis* signified “unadministered” or “unorganised” rather than literally “empty” and “depopulated,” as has been assumed by some historians. For example, the foundation charter of the Order of Montreal describes the land between Daroca and Valencia as “impassable, untamed, and uninhabitable areas of desert,” whereas archeological evidence proves that this was not the case.⁷⁶ In fact, adjectives such as “depopulated” and “barren” referred to zones lacking Christian-administered settlement.⁷⁷

In the densely settled valleys of the Pyrenees law took the form of a loose tapestry of local custom hung on the frame of the Visigothic *Liber iudiciorum*. Social and political structures reflected the geography of the area – an aggregate of isolated valleys, semi-independent and particular. Then, from about the year 1000 processes symptomatic of *incastellamento* began to reshape the society of these Christian lands. The rural population concentrated in towns and villages, isolated settlements disappeared, and the countryside came to be dominated by castles which were intended not as communal defensive structures but rather as symbols and instruments of domestic political domination. Hitherto free assarts appropriated from the dangerous frontier lands were gradually brought under seigniorial control. In the eleventh century the zone of Christian settlement began to extend, probably stimulated by a trend of population growth which pushed the occupancy of the high valleys to their limit.⁷⁸

After 1035, when, according to the Germanic traditions of Christian Iberia, Sancho III of Navarre (1000–1035) divided his realms among his three heirs, the Kingdom of Aragon was born. From its humble beginnings around the town of Jaca this principality came to dominate the northern zone of the Ebro within a century, once Ramiro I and his successors, Sancho Ramírez and Pedro I, had made substantial territorial gains at the expense of the Muslims in the foothills of the Pyrenees. The growing confidence of such Christian enterprises is reflected in the gradual abandonment of the habit of dating charters according to the

⁷⁶ “*invia et inculta et inabitata heremi loca*”; d’Albon, 3–4, doc. 6; Glick, *From Muslim Fortress to Christian Castle*, p. 114.

⁷⁷ M. E. Cortés Ruiz and I. Lázaro Molinero, “¿Continuidad o ruptura entre musulmanes y mudéjares? El ejemplo de Molina de Aragón (Guadalajara),” *Wad-al-Hayara* 22 (1995): 186.

⁷⁸ The following paragraphs draw on T. N. Bisson, “El feudalismo en la Cataluña del siglo XII,” in *Estructuras feudales y feudalismo en el mundo mediterráneo* (Barcelona: Crítica, 1984), 66–91; Bisson, *The Medieval Crown of Aragon*; B. Bonnaissie, *From Slavery to Feudalism in South-western Europe*, trans. J. Birrell (Cambridge University Press, 1991); Glick, *From Muslim Fortress to Christian Castle*; Laliena and Sénac, “Le peuplement musulman dans le district de Huesca”; C. Laliena Corbera, “La formación de las estructuras señoriales en Aragón (ca. 1083–ca. 1206),” in *Señorío y feudalismo en la Península Ibérica*, ed. S. Sánchez and E. Serrano Martín (Zaragoza: Institución “Fernando el Católico,” 1993), 553–86; and F. Sabaté i Curull, *El territori de la Catalunya medieval. Percepció de l’espai i divisió territorial al llarg de l’Edat Mitjana* (Barcelona: Patronat de la Fundació Salvador Vives i Casajuana, 1997).

Christians and Muslims: contact and conquest

regnal years of local Muslim princes (usually those of Zaragoza or Lleida); this was common practice during the first half of the eleventh century but disappeared in the second.⁷⁹ During the age of territorial expansion Christian rulers attempted to entrench their generic distinction as kings against the opposition of their own nobles, particularly the most powerful magnate families, who preferred to see the monarch as a *primus inter pares* rather than a superior. Similarly, the Counts of Barcelona began a centralizing policy aimed at establishing themselves as overlords of the other Catalan counts. *Corts* were convened at Barcelona, and Ramon Berenguer IV (1131–1162) codified the law (as the *Usatges*) and campaigned successfully to extract homage and rights of dominion from his fellow nobles, formalized in his *Liber feudorum maior*. As in Aragon, here such policies were resented and resisted by the nobility – in particular the most powerful counts, those of Empúries, Pallars, and Urgell.

Meanwhile, the members of the military classes fought interminably amongst themselves, embarking on vendettas, raiding each other's lands and subjects, and engaging in outright banditry. As early as the tenth century, Church-sponsored zones of sanctuary (*sagreres*) were instituted to provide some respite from noble violence, and in 1064 Ramon Berenguer I (1035–1076) and Almodis formally legislated the "Peace and Truce" in Catalonia as an attempt to quell anarchy, although with limited success.⁸⁰ With Ramon Berenguer IV's betrothal to Petronila, daughter of Ramiro II of Aragon, the great Christian powers of the Ebro were united; the couple's heir, Alfons I, was the first "count-king." But while this dynastic union increased the influence of both Aragon and Barcelona in general, it did not directly affect the ruler's position vis-à-vis the nobility. Noble violence was endemic in the medieval Crown of Aragon, and even Jaume I's later efforts to aggressively reinstitute the "Truce of God" failed to bring about domestic peace and security.

In contrast to Old Catalonia and Aragon, where trends which suggest the appearance of "feudalising" processes (such as the identification of local lords as owners of their land) began to appear, in the newly conquered territories liberties tended to be extended to common folk as a consequence of the need for soldiers and settlers, and by the "modernization" and liberation of the Church from noble control (thanks in part to the corporate developments of the papal *curia* and the successful agency of French monastic orders).⁸¹ According to Navarrese customs, royally

⁷⁹ E.g. A. Ubieto Arteta, *Cartulario de San Juan de la Peña*, 2 vols. (Valencia: Anubar, 1962, 1963), II, p. 55, doc. 82.

⁸⁰ Bisson, *The Medieval Crown of Aragon*, p. 25.

⁸¹ See for example Laliena and Sénac, "Le peuplement musulman dans le district de Huesca," pp. 100ff.

Muslim domination of the Ebro and its demise

granted tenancies were in principle not automatically heritable, a quality which the Aragonese sovereigns strove to maintain in the following centuries, so that these *honores* resembled benefices rather than fully feudal fiefs. Because peasants in the frontier areas were permitted or required to bear arms and to contribute to defense, popular military participation helped to promote a rather complex and fluid social order, wherein a significant portion of the population could lay claim to some sense of “nobility” by virtue of their ability, for instance, to furnish a horse or weapons for battle. The use of monastic houses (and eventually Military Orders) as agents of territorial administration and settlement provided the sovereigns of Aragon and Barcelona with a further counter-balance to the influence of the magnates and a further brake on feudalizing trends.⁸² Hence, if in “Old” upland Catalonia and Upper Aragon peasants enjoyed progressively fewer freedoms with the passing of time, in New Catalonia and Lower Aragon the foundation of new towns endowed with charters and liberties derived directly from count or king functioned to preserve the people of these regions from thorough feudalization.

THE CHRISTIAN CONQUEST

Although the forces which contributed to the Christian conquest of the Ebro region were manifold (demographic, economic, and political) and were born of trends originating as far afield as trans-Pyrenean Europe and the Middle East, the phenomenon must be seen first and foremost as a military one. From the middle of the eleventh century the Christian and Muslim potentates of the frontier engaged in interminable raiding and *huestes* (*chevauchées*) punctuated by brief engagements and short sieges.⁸³ Christian magnates tended to gain territory at the expense of Muslims, while the latter strove to regain losses, at times retaking lost towns. The apparently fortuitous appearance of the campaigns, however, should not disguise the fact that princes such as Pedro I and Alfonso I of Aragon and Ramon Berenguer IV were not merely opportunistic raiders, but were implementing well-considered strategies with long-term objectives. For example, the Aragonese engaged in a deliberate and successful strategy of encirclement before attempting to take major towns like Huesca and Zaragoza.

In the 1080s prospects began to look increasingly bleak for the Muslims of the former Marches. First, in 1085 Toledo fell to Alfonso VI of Castile, who was drawn away from what might have been a successful attack on

⁸² That having been said, the military and monastic orders lobbied aggressively to deepen their authority and extend control over their tenants and subjects, behaving in many senses like nobles but without constituting the challenge to royal power which seigniorial families did.

⁸³ See Zurita, *Anales de la Corona de Aragón*, I, pp. 90–169, chaps. 1.27–1.52.

Zaragoza only by the arrival of the Almoravids. With the death of the Castilian sovereign and the attendant disorder in his realms, the Aragonese gained the initiative in the late 1090s, and a rapid first wave of conquests ensued. From the fall of Huesca in 1096 to the death of Alfonso I at Fraga in 1134 almost the entire *Thaghr* was brought under nominal Aragonese control. But the unfortunate death of “the Battler,” who left no legitimate heir to the throne and whose last will and testament seems to have been designed to prevent the rapid designation of a successor, threw the kingdom into confusion.⁸⁴ This chaotic situation put Aragon’s tenuous gains at risk, a circumstance which Alfonso VII of Castile and the Almoravids each did their best to exploit.⁸⁵ The Castilian “emperor” claimed Zaragoza as a protectorate, while Berber-led forces took control of most of the southern littoral downriver from the great city, and temporarily relieved Muslim Lleida and Fraga.⁸⁶

The Islamic resurgence was not to last, however, and Ramon Berenguer IV and his son Alfons I reclaimed these territorial losses. Alfons and his successor Pere I “the Catholic” carried on until the southern bank of the Ebro at Tortosa and the plains around Teruel had been taken. In fact, the first count-king had dreamed of conquering Valencia.⁸⁷ Local soldiers and nobles, French knights and opportunists, Italian traders, monastic orders, bishops, and Military Orders all took part in these campaigns, each rendering military and administrative service and each hoping to profit from the wealth of the land and people that had been conquered. Even with these successes, however, the frontier between the Crown of Aragon and its Muslim neighbours remained imprecise, porous, and dangerous through the twelfth century. Although the Battle of Las Navas de Tolosa (1212) signaled the end of Islamic hopes for peninsular domination, the southern sector of the Ebro watershed remained vulnerable to small-scale Muslim attacks until the conquest and subjugation of the Valencian lands by Jaume I and Pere II in the later thirteenth century.

Despite the constant skirmishing which characterized the frontier, the conquest itself was remarkably bloodless. With the exception of Islamic Huesca, which was taken after Pedro I’s victory at the Battle of Alcoraz

⁸⁴ For a lucid and plausible explanation of Alfonso’s testament, see E. Lourie, “The Will of Alfonso I ‘El Batallador’ King of Aragon and Navarre: A Reassessment,” *Speculum* 50 (1975): 635–651.

⁸⁵ See A. Giménez Soler’s observations in his “La frontera catalano-aragonesa,” in *II Congreso de Historia de la Corona de Aragón* (Huesca: Justo Martínez, 1920), 1, p. 482.

⁸⁶ The apologetic Alfonsine chronicle portrays Alfonso VII’s entry in to Zaragoza as mission of mercy to the beleaguered Christians of the city: *CAI*, pp. 48–49, chaps. 59–61, and 51–53, chaps. 63–66. Alfonso I’s disastrous marriage to Urraca of Castile had led to war between the two kingdoms, and was the basis for Alfonso VII’s claim over the “Kingdom of Zaragoza.”

⁸⁷ J. Santacana Tort, *El monasterio de Poblet (1151–1181)* (Barcelona: CSIC, 1974), pp. 624–625, doc. 165.

Muslim domination of the Ebro and its demise

(1096), the Muslim towns of the Ebro were taken principally by intimidation and negotiation. Dealing a series of blows to the Almoravids at Cutanda (1120), Cullera (1125/26), and Alcalá (1129), Alfonso I was able to capitalize on Islamic weakness and disunity in order to lever negotiated surrenders from the towns which he besieged.⁸⁸ When “the Battler” arrived at the gates of Zaragoza, for example, the city was without a governor, the Almoravid representative, Ibn Tifilwit, having just died.⁸⁹ The city’s would-be rescuer, ‘Abd Allāh b. Mazdalī, who had been setting up an active defense of the area, had himself been killed on 16 November 1118.⁹⁰ Thus, the population, which may have been distrustful of Almoravid assistance at the best of times, opted for surrender. After Alfonso I guaranteed security and safe-passage to the inhabitants who wished to leave and pledged a broad community autonomy in exchange for tribute to those who wished to stay, the king was allowed to enter the city.

And Ibn Rudmīr [Alfonso I] laid siege to the land (that is to say, Zaragoza) for some months, and its people underwent distress and suffering until they made peace with him with the condition that they give the land to him, and they put it in his hands, and those of them who wished might pay the poll-tax [الجزية = “al-jizya,” see above, p. 24] . . . and those who wished might depart . . . with a complete safeguard [الامان التام] until they arrived at Muslim lands, and that the Christians [الروم] would live in the city and the Muslims in the Tanners’ Quarter [that is to say, outside of the walls], and that every captive in the city be returned to the Christians and be recovered from Islam . . . and a treaty [الاتاق] was signed and contracts [عقود] were concluded in firm covenant and mutual faith [بالمعهد للوكيد والميثاق], and the region surrendered to him . . .⁹¹

On the one hand, given the fluctuations of the frontier zone, the Muslim inhabitants of Zaragoza may have felt that the Christian presence was at best temporary, and on the other, the memory of the Franks’ bad faith at Barbastro in 1064 had obviously not been interpreted as a sign that Christians as a group could not be trusted.

⁸⁸ See V. Lagardère, *Les Almoravides*, pp. 88, 136, 175.

⁸⁹ Ibn Tifilwit, formerly governor of Murcia, had replaced Muḥammad b. al-Hājj after the latter was killed in battle against Christian forces in 1114: al-Fāsī, *Roudh el-kartas. Histoire des souverains du Maghreb et annales de la ville de Fès*, trans. A. Beaumier (Paris: Imprimerie Impériale, 1860), p. 230.

⁹⁰ A. Huici Miranda, “Nuevas aportaciones de ‘al-Bayān al-Mugrib’ sobre los Almorávides,” *Al-Andalus* 28 (1963): 315, 318; al-Fāsī, *Roudh el-kartas*, pp. 233–234.

⁹¹ Ibn al-Kardabūs, *Historia de al-Andalus*, pp. 117–118. Al-Ḥimyarī says that the siege lasted nine months before the city surrendered without resistance (صلحا): al-Ḥimyarī, *La péninsule ibérique au moyen-âge*, Ar. pp. 97–98.

Negotiated conquests

Judging from the surviving evidence, the experience of Zaragoza reflects the standard *modus operandi* of Alfonso and his successors in their campaigns of conquest. This came as a result of conditions on both the Muslim and Christian sides. For their part, the Muslims were militarily weak, having suffered from decades of insecurity (with concomitant repercussions on the local economy), and were disillusioned with their leadership. As for the Aragonese, they had the military initiative, but were faced with a shortage of manpower (and thus were unable to garrison hostile towns), and were under pressure to prevent territory from falling to Castile. Moreover, they needed to keep the conquered lands productive. Hence, each party was disposed towards negotiation, particularly because their respective goals – security and autonomy for the Muslims and sovereignty and revenue collection for the Christians – were not mutually exclusive.

Near-identical conditions obtained in the Catalonia of Ramon Berenguer IV, and are reflected in events at Tortosa. This important Muslim town was taken by the count in 1148 in a manner strikingly similar to Zaragoza. Caffaro, a contemporary Genovese, recorded how the town surrendered to the Count of Barcelona after a “forty-day” siege which included an intense artillery bombardment.⁹² The fact that the Tortosa surrender agreement mentions that it was composed in emulation of the Zaragoza treaty shows that Muslims were aware of the concessions which they could expect, while the wording of the same agreement, with its lengthy prelude including a varied list of Muslim officials, suggests that it may have been a formulaic preamble, designed to cover other towns whatever their particular administrative set-up.⁹³ This treaty also gave the Muslims a year in which to move their residences to an extra-mural suburb (*raval*), during which time they were to continue to enjoy the use of the town’s congregational mosque.⁹⁴ Impressive judicial autonomy was guaranteed: Muslims were to be punished only in accordance with the *sharī‘a*, Christian testimony was not to be admitted against them in minor felony cases, and the rights of municipal officials to search homes

⁹² According to Caffaro, the Tortosans sent messengers to the besiegers, promising to surrender so long as after forty days no relief force of Andalus (Hyspani) had appeared: Caffaro, *De captione Almerie et Tortosue*, ed. A. Urbieto Arteta (Valencia: Facsimil, 1973), pp. 34–5. For Italian involvement, see J. B. Williams, “The Making of a Crusade: The Genoese Anti-Muslim Attacks in Spain, 1146–1148,” *Journal of Medieval History* 23 (1997): 29–54.

⁹³ For a review and comparative study of the surrender treaties of the Ebro region, see B. A. Catlos, “*Secundum suam zunam*. Muslims and the Law in the Aragonese ‘Reconquest’,” *Mediterranean Studies* 7 (1999): 13–26.

⁹⁴ *Raval* is derived from the Arabic “al-rabaḍ” (“suburb”) and was sometimes a synonym of *morería*.

Muslim domination of the Ebro and its demise

for fleeing slaves were severely curtailed.⁹⁵ The treaty of Tortosa formed, in turn, the basis for the “convencio” which Alfons I granted to the Muslim inhabitants of L’Aldea in 1174 (and which was ratified by Jaume I in 1255).⁹⁶

Although only a few of such treaties survive, including those of Tortosa (1148), Naval (1099), Tudela (1115), and Borja (1122), there can be little doubt that nearly every Muslim town taken in the same manner had one.⁹⁷ Each of the treaties follows the same basic pattern: in exchange for paying tribute or tax the Muslims were allowed religious and political liberties, and freedom of movement. For their part, Muslims were typically required to relocate to residences outside the town walls within a period of one year. The surviving agreements resemble each other closely, and all provide for liberties which would have been considered indispensable by the Muslims and reasonable by the Christians. Although the later pledge of security given by Ramon Berenguer to the Muslims of Ascó (1153–1159) is presented as a unilateral concession without reference to Muslim authorities or representatives, these agreements were generally bilateral treaties negotiated by the Christian commander with the Muslim people of the town or their representatives and leaders, who were sometimes permitted to continue in their posts as governors.⁹⁸ The surrender treaty of Tudela, for example, was negotiated between Alfonso I and “those good Muslims of Tudela, and with Alfalibi,” a local official, who became the local *señor*.⁹⁹ The most important concession, however, was the provision that Muslims be allowed to continue administering themselves according to the *sharī‘a*. Ethnicity at this time may be said to have rested to a great extent on the “law” which a particular people followed, so respecting the Islamic law was a natural concession to make. It was not a consequence of the Muslims’ bargaining strength, but rather of a law-based concept of community.¹⁰⁰ Moreover, such a provision was absolutely necessary in securing the cooperation of Muslims, who recognized no essential distinction between secular and sacred law.

The treaties, which were to be valid in perpetuity, are impressive in their durability. That of Borja, for instance, was intended to be valid not

⁹⁵ CODOIN, IV, pp. 130–135, doc. 56. ⁹⁶ *Ibid.*, VIII, pp. 52–54, doc. 16.

⁹⁷ For Naval, see Durán, *Colección diplomática de la catedral de Huesca*, I, pp. 104–105, doc. 76; for Tudela, see CFCP, p. 416; for Borja, see M. T. Ferrer i Mallol, “La capitulación de Borja en 1122,” *Aragón en la Edad Media* 10/11 (1993): 269–279.

⁹⁸ J. M. Font i Rius, *Cartas de población y franqueía de Cataluña*, 2 vols. (Barcelona: CSIC, 1969), I.1, p. 266.

⁹⁹ “illos bonos moros de Tutela, et cum Alfalibi”: CODOIN, IV, p. 130, doc. 56.

¹⁰⁰ ACA, C., reg. 49, f. 115v (25 June 1281). The great Aragonese legal compilation of 1241 maintains that “right and reason” dictate that minorities be judged according to their own laws (“segunt regla et semeillen de razón”): Vidal, II, p. 183, sec. 24.

only for the present *aljama*, but for all of its members' descendants, and Muslims who had fled the city in the wake of the conquest were to be allowed to return and recover their lands and goods.¹⁰¹ Thirteenth- and fourteenth-century charters can be found confirming the privileges enshrined in the surrender documents and legal concessions, a testament to their legal force. In 1280, for example, Pere II ordered Raymundus de Molina to respect the *fueros* of Aragon vis-à-vis the people of Tamarite de Litera, because those were the conditions under which the town was settled, and in 1286 Alfons II confirmed the privileges of the *aljama* of Huesca originally granted by Pedro I in 1089 (*Era* 1127).¹⁰² As late as 1356 Pere III confirmed a "charter of rights" which had been granted to the Muslims of Ricla and a score of neighboring *aljamas* by Pere I in 1210, and which was probably a formal reiteration of privileges to which they had been entitled since their surrender.¹⁰³ The sense of continuity implicit in the wording of the treaties and made manifest by their periodic reconfirmation over the subsequent centuries is a further indication that to whatever degree a spirit of Reconquista may have been at work, Muslims were perceived as a permanent feature of society and the aim of the conquest was their domination rather than expulsion. Thus, care must be taken in reading the occasionally chauvinistic-sounding formulas of charters. For instance, a document of 1149 refers to the conquest of Novillas as "the deliverance [from] and expulsion of the Muslims," but other documents of that time clearly indicate that Muslims continued to live there.¹⁰⁴ It was the Islamic authority from which the land was to be delivered, not the presence of Muslim inhabitants.

Supporting the argument that a combination of military, political, economic, and demographic factors rather than ideological concerns had encouraged the "liberal" policies of the conquerors, it is worth reflecting that the same general policies were followed by Jaume I and Pere II in the conquest and subjugation of the Kingdom of Valencia in the following century. Recently Burns and Chevedden have conducted a detailed study of a unique series of bilingual Arabic-Latin treaties and surrender

¹⁰¹ Ferrer, "Capitulación," p. 278.

¹⁰² ACA, C., reg. 49, f. 71v (7 April 1281). For Catalonia proper see Ramon Berenguer's *carta-puebla* of Cambrils: Font, *Cartas de población y franquicia de Cataluña*, 1.1, pp. 150-151, doc. 97 (1155); ACA, C., reg. 66, f. 71v-72v (28 April 1286). The Spanish *Era* calendar, which was used into the thirteenth century, begins thirty-eight years before the "Common Era" (*Anno Domini*).

¹⁰³ See E. Lourie, "An Unknown Charter Given by King Peter II 'the Catholic' in 1210 to Mudejars in the Jalón and Jiloca Valleys," in *VII Simposio internacional de mudejarismo. Actas* (Teruel: Instituto de Estudios Turolenses, 1999), pp. 113ff.

¹⁰⁴ "deliberationem et expulsionem Sarracenorum"; d'Albon, *Cartulaire général de l'Ordre du Temple. 1119?-1150: Recueil des chartes et des bulles relatives à l'Ordre du Temple* (Paris: Librairie Ancienne, 1913), pp. 339-340, doc. 553 (1149).

Muslim domination of the Ebro and its demise

agreements relating to this episode which show that here, where conditions were remarkably similar to those of the twelfth-century Ebro, the Christian powers were disposed to extend whatever liberties were necessary to local Muslims in order to keep them peaceful and productive.¹⁰⁵ An analysis of the Arabic and Latin texts of the documents in question shows how Muslim and Christian parties each cast the agreements in a different light and interpreted them according to their own cultural preconceptions. Unfortunately, no such bilingual documents survive for Aragon, although a comparison of al-Kardabūs' description of the subjugation of Zaragoza and the Latin text of the Tortosa agreement which it inspired show that Muslims were prepared to live as tributaries under Christian rule as long as their fundamental cultural-religious needs were acknowledged and attended to. Indeed, Muslim communities in Sicily, Jerba, and in the Latin East came to similar agreements, which Ibn Jubayr, referring to the *mudéjares* of Sicily, described as the “*dhimma* of the idolators.”¹⁰⁶ The ease with which the treaties could be expressed in Arabic terminology indicates that they were close to natives' expectations of tributary agreements – in fact, their resemblance to the treaties granted by Muslims during the Islamic expansion four centuries earlier is striking.¹⁰⁷

Such an institutional resemblance between *dhimma* and Catalano-Aragonese subject status, however, does not reveal an intention on the part of the Christians to imitate Muslim practice; rather it arose from logistical and military exigencies which resembled those of the Muslim invaders four centuries earlier. Practical considerations were sufficient cause for the development of these policies, which resemble those of colonial/imperial powers from Parthia to the present; thus suggestions that familiarity with the Islamic policy of *dhimma* inspired Alfonso I and Ramon Berenguer IV in their policies cannot be proved and are of little relevance.¹⁰⁸ A conciliatory attitude to the vanquished population was completely in keeping with a conquest whose object was “not dispossession . . . but rather the seizure of political control . . . in order to draw off the tax revenues,” a description of the early Islamic conquest which is also a fitting characterization of the Christian expansion in the Ebro.¹⁰⁹ The fact that the great majority of treaties were negotiated under the authority of the sovereign or count was to be of enduring importance,

¹⁰⁵ Burns and Chevedden, *Negotiating Cultures*.

¹⁰⁶ “تحت ذمة الكفار”: Ibn Jubayr, *Rihlat Ibn Jubayr*, p. 284, cf. *ibid.*, pp. 252–253.

¹⁰⁷ See Ibn al-Kardabūs, *Tārikh al-Andalus*, p. 91. For the Islamic conquests see F. M. Donner, *The Early Islamic Conquests* (Princeton, NJ: Princeton University Press, 1981), and D. R. Hill, *The Termination of Hostilities in the Early Arab Conquests. A.D. 634–656* (London: Luzac & Company, 1971).

¹⁰⁸ See Thaler, “The Mudejars of Aragón,” p. 153.

¹⁰⁹ Donner, *The Early Islamic Conquests*, p. 240.

helping as it did to cement the direct relationship between the king and his Muslim subjects which was to be an essential characteristic of the *mudéjar* experience.

Such treaties also fit well into the local Christian administrative tradition, corresponding to the *cartas-pueblas* and *fueros* issued to Christian settlers, which were intended to attract and maintain settlement by formally granting freedoms and privileges to a town's inhabitants.¹¹⁰ *Cartas-pueblas* were also issued to Muslim populations, with similar privileges and guarantees and the same sort of legal/conceptual basis as the surrender agreements, namely (limited) judicial autonomy and religious freedom. Such charters were essentially contracts, issued by count or king, Military Orders, ecclesiastical organizations, or private individuals. The agreement between the "moros" of Arándiga and Lady Blaschita, and the charters issued by the Templars to the Muslims of Miravet and Villastar, are among the dozens of such documents which survive.¹¹¹

Despite the evidence for continuity of Muslim settlement and for the uniformity of terms and conditions evident in these treaties, Laliena cautions against assuming that surrender agreements were even generally similar, given that so few survive.¹¹² He objects that historians have focused too strongly on the "urban" character of the surrender treaties, and proposes, perhaps not unreasonably but bringing no new evidence to bear, that these do not reflect conditions in seigniorial lands, which he asserts were characterized by social upheaval through the eleventh century.¹¹³ He suggests that there were significant movements of Muslims, and that the land was completely reorganized in this period, breaking any socio-economic continuity with its Andalusí past. But, as shown above, there is strong inductive evidence to suggest a general uniformity. Given that the rural organization of the Islamic March was based to a great extent on a network of towns and hamlets rather than on seigniorial units, we can assume with confidence that such provisions were extended broadly through the conquered area. There is no evidence that Christian *tenentes* of the twelfth century embarked on deliberate campaigns of rural

¹¹⁰ E.g. Alfonso I's *fiero* of Calatayud and *carta-puebla* of Belchite: *CFCP*, pp. 457ff (1131) and 413 (1116).

¹¹¹ For Arándiga: Rubio, *Los documentos del Pilar*, p. 241, doc. 295 (no date); for Miravet: ACA, OM, GP, arm. 4, vol.: 3 (115), f. 70r (227) (10 June 1209); for Villastar: A. Gargallo Moya, "La carta-puebla concedida por el Templo a los moros de Villastar, 1276," in *III Simposio internacional de mudéjarismo. Actas* (Teruel: Instituto de Estudios Turolenses, 1986), pp. 219–220.

¹¹² Laliena, "Expansión territorial, ruptura social y desarrollo," p. 209.

¹¹³ Laliena, "La antroponimia de los mudéjares," p. 144. Burns's analysis of singularity versus commonality in the surrender treaties of the thirteenth-century Kingdom of Valencia holds for the most part with respect to the treaties of twelfth-century Aragon and Catalonia: see Burns and Chevedden, *Negotiating Cultures*, pp. 216–218.

Muslim domination of the Ebro and its demise

reorganization; their preoccupations would have lain elsewhere and they would have been anxious to keep their new territories productive. Indeed there is abundant documentary evidence (explored below) which shows that Muslim production, irrigation, and settlement systems survived in places where Muslim populations persisted. In the aftermath of the conquest, in areas of dense Muslim population it was the Christian landlords and operators who were drawn into pre-conquest systems and not vice versa.

REORGANIZATION AND SETTLEMENT UNDER CHRISTIAN RULE

Tenuous and gradual as Christian domination and colonization may have been in the eleventh century, the conquest nevertheless provoked a profound demographic and economic transformation of the Ebro watershed which began in the earliest years of Latin supremacy. Thus, before proceeding to investigate *mudéjar* society *per se*, it is necessary to determine in which ways *Thaḡhrī* society can be said to have survived, and how it was transformed in this initial period of domination. Thus, this final section deals with movement of people: the departure of Muslims from their traditional lands, the redistribution of those who stayed, and the arrival of new inhabitants from Christian territories.

In spite of the guarantees of personal safety and community autonomy which came with the surrender agreements, many Muslims undoubtedly did decide to leave their homes rather than live under Christian rule – echoing the sentiments of al-Muṭamid of Sevilla (1068/9–1091/2) who is said to have declared he would rather keep camels for the Almoravids than herd swine for Alfonso of Castile.¹¹⁴ But the population of the area remained overwhelmingly Muslim in the period immediately following the conquest, and contemporary Arabic historians and geographers do not generally speak of an exodus from Aragon. One exception is Ibn al-Kardabūs, who states that approximately fifty thousand inhabitants of Zaragoza, young and old, men and women, left the city.¹¹⁵ By using this figure, however, the author clearly meant to express a large quantity, and the number certainly cannot be accepted as accurate. Moreover, large-scale emigration in the wake of the conquest is not generally noted by other chroniclers.

Nevertheless, some historians are convinced that the conquest provoked a massive wave of emigration. Sénac, for instance, interprets an apparent absence of references to Muslim proprietors in Christian

¹¹⁴ S. Allouche, *Al-Hulāl al-mawshiyya* (Rabat: al-Maṭbaʿāt al-Iqṭisādiyya, 1936), p. 32.

¹¹⁵ Ibn al-Kardabūs, *Tārīkh al-Andalus*, p. 119.

documentation after the conquest as evidence of massive emigration.¹¹⁶ Arguing a position based on a perceived lack of documentary evidence is methodologically dangerous, and the relative paucity of references to Muslims on which Sénac's position depends can be accounted for easily by the fact that the sources on which his argument depends deal with the resettlement of land which had been abandoned, rather than lands which continued to be inhabited, and by the fact that the people most likely to leave were those who held large estates, whose holdings would then have to be reassigned to new proprietors (if not new occupants). Laliena is of a similar opinion to Sénac's; his hypothesis of a massive redistribution of the Muslim population, who departed or regrouped in areas where Islamic communities were more substantial, is not untenable, and such emigration may have indeed occurred in some areas; but his conclusions rest uneasily on the fact that little documentation has survived from seigniorial lands.¹¹⁷

Muslim emigration

Emigration is an expensive and hazardous undertaking and, given the compromises which Christian powers were prepared to make, it would probably only have been an attractive option for the wealthiest or most pious Muslims, and those with portable professions or skills dependent on Islamic patronage. A parallel case can be seen in Arab emigration from occupied Palestine following the Israeli military successes in the "Six-Day War" (1967) in which the Jordanian "West Bank" was conquered. In the wake of that conflict most of the elite and much of the "middle class" fled the countryside; those who stayed tended to belong to lower economic strata. In the case of the Ebro valley, one may also assume that most of the ruling class left. But this must be inferred, for there are few documentary indications of any such migration, apart from oblique references in land grants. For instance, in 1168 the Church of Santa María of Tortosa received an "orto" (market garden) which had belonged to Macumeto Alguazir [= *'al-wazīr'*?], who was possibly an official.¹¹⁸ In 1105 Iñigo Banzones received houses in Sangarrén which had belonged to "lord" ("domni" [*sic*]) Homat Ibn Motert Ibn Alabe.¹¹⁹ Grants of larger, multi-property estates include those made by Alfonso I

¹¹⁶ P. Sénac, "De *ḥiṣn* musulman au *castrum* chrétien," in *De Toledo a Huesca. Sociedades medievales en transición a finales del siglo XI (1080-1100)*, ed. C. Laliena and J. F. Utrilla (Zaragoza: Institución "Fernando el Católico," Universidad de Zaragoza, 1998), p. 129.

¹¹⁷ Laliena, "Expansión territorial, ruptura social y desarrollo de la sociedad feudal," p. 208.

¹¹⁸ Virgili, *Diplomatari de la catedral de Tortosa*, p. 252, doc. 195.

¹¹⁹ Ubieto, *Colección diplomática de Pedro I de Aragón y Navarra*, p. 416, doc. 149.

Muslim domination of the Ebro and its demise

to Garcia de Belforato and Gonçalbo Petreç.¹²⁰ In 1133 Alfonso I granted Gonçalbo Petreç (again) the shops and mill in Orba and houses and fields in Pina belonging to Aberrahana de Çaragoça.¹²¹ This latter property seems to have been the diversified estate of a large or medium landholder, awarded to a Christian party because the owner had left. The frequent donation of such precisely defined holdings reinforces the postulate that emigration was minimal; land distribution continued according to Muslim precedents because so many Muslims remained.

Indeed some leaders, like “Alfalibi” of Tudela, evidently stayed on, at least temporarily, and in Tortosa, some of the *alguaçiles* and *alchadis* and *alfachis* doubtless accepted Ramon Berenguer’s offer to become “his faithful vassals, just like the other good men” of the town.¹²² Indeed, some Muslims may have retained considerable property despite the transfer of power, in which they may have been aided by some bond of solidarity or commonality of class that members of the military class felt with the Christian nobles.¹²³ With their long history of interaction Muslims and Christians were anything but an unknown commodity to one another. Indeed, the care with which the surrender treaties were negotiated indicates that many Muslims (including the leaders doing the negotiating) did intend to stay put; for them and their constituents, the transition to limited Christian overlordship did not necessarily represent a trauma to the society of the *Thaghr*, where the Muslim public was accustomed to dispose of inefficacious leaders and choose others who could better guarantee security. In any event, even for the political elites, emigration was by no means a guarantee of continuing prosperity. Ibn al-Athīr recounts how he met a descendant of the Hūdid governors of Lleida in Damascus reduced to poverty and working as the night watchman in a garden.¹²⁴ On the other hand, a Tūjibī who stayed behind was prosperous enough to act as a witness in Huesca in 1269.¹²⁵

¹²⁰ Examples include the houses and properties of Açahet in and around Tudela, and the shops and mill in Orba and houses and fields in Pina belonging to Aberrahana de Çaragoça: Lacarra, *Documentos para el estudio de la reconquista y repoblación del valle del Ebro*, I, p. 195, doc. 185 (1129), and I, pp. 222–223, doc. 219 (1133).

¹²¹ Rubio, *Los documentos del Pilar*, pp. 16–17, doc. 11.

¹²² “suos fideles vasallos sicut illos alios bonos homines in Tortosa”: AHTo, Paper, no. 185, f. 3v (December 1148).

¹²³ See Glick, *Islamic and Christian Spain in the Early Middle Ages*, p. 163. A patch of land transferred in a charter of Tortosa of 1198 abuts the “*honore* Abnalfachim Serraçeni” – again, what seems to have been a larger holding: ACA, OM, GP, arm. 4, vol. 3(115), f. 71v–72r(233) (29 March 1198).

¹²⁴ Ibn al-Athīr, *Annales du Maghreb*, pp. 442–443.

¹²⁵ J. Bosch Vilá, “Los documentos árabes del Archivo de la Catedral de Huesca,” *Revista del Instituto de Estudios Islámicos en Madrid* 5 (1957): 46–47, doc. 12.

For those determined to stay, changing religion presented an alternative to changing residence, and some propertied and aristocratic Muslims undoubtedly followed the lead of Aḥmad, the son of Imād al-Dawla, who converted to Christianity. The prospect of maintaining wealth and privilege has a surprising power of spiritual revelation, and similar conversions were made a century and a half later by the deposed heir of Islamic Mallorca, and by Abū Zayd, the last Muslim King of Valencia. The Mallorcan prince, taken hostage at the age of thirteen upon his kingdom's surrender, was baptized and took the name of Jaume. After marrying Eva Roldán (of the powerful Alagón family) in 1250 he was granted the castle of Gotor, near Calatayud, with jurisdiction over its Christian and Muslim inhabitants.¹²⁶ A few years after Mallorca's fall, the erstwhile King of Valencia, Abū Zayd, secretly converted to Christianity after casting in his lot with Jaume I. His reward was lordship over Ricla, Magallón, and Villahermosa.¹²⁷ A similar dynamic worked among lesser leaders and also among common folk. Hence, when confronted by Ramiro I 'Habdella' handed over the castle of Puibolea to the Christian king, converted, and changed his name to Sancho. Humble Puibolea may have been no Paris, but to Habdella it was evidently "worth a Mass."¹²⁸ And for this reason, when Sancho Ramírez granted Gombal Ementz the rights to the castle at Lumberres in 1081, he excluded certain inhabitants from Gombal's jurisdiction. Banzo, Johannes, Abieza and his wife, Maria, Ahamit and Pasqual, "who had converted to Christianity," and their descendants were to remain *franci*, free and in total possession of their properties.¹²⁹

Staunchly pious Muslims and members of the 'ulamā' may have felt compelled to leave Christian-ruled lands, the latter even more so, given that many could find the patronage on which their livelihood depended only in Muslim courts. Thus Ibn 'Abbār's *Takmila* tells of 'ulamā' who left their homes because they could not bear the fact that "church bells had suppressed [the] call to prayer."¹³⁰ Many of these settled in the

¹²⁶ Jaume I, "Crònica o llibre dels feits," p. 49, doc. 87; A. Santamaría, *Ejecutoria del Reino de Mallorca 1230-1343* (Palma: Ajuntament, 1990), pp. 67-69.

¹²⁷ Zurita, *Anales de la Corona de Aragón*, 1, pp. 505-506, chap. 25; cf. López, *Crónicas de los jueces de Teruel*, pp. 88-89. See also R. I. Burns, "Príncipe almohade y converso mudéjar: nueva documentación sobre Abū Zayd." *Sharq al-Andalus* 4 (1987): 109-122, and R. I. Burns, "The Daughter of Abu Zayd, Last Almohad Ruler of Valencia: The Family and Christian Seigniorship of Alda Ferrandis 1236-1300," *Viator* 24 (1993): 143-187.

¹²⁸ Durán, *De la Marca Superior de al-Andalus al reino de Aragón*, p. 170.

¹²⁹ "quod tornauerunt ad christianismo": M. L. Ledesma Rubio, *Cartas de población del reino de Aragón en los siglos medievales* (Zaragoza: Institución "Fernando el Católico," 1991), p. 30, doc. 4.

¹³⁰ Thus did Ibn 'Amīra refer to the fall of Valencia: "أودی الكفر بإعانتها، وأبطل الناقوس صوت اذانتها": al-Ḥimyarī, *La péninsule ibérique au moyen-âge*, p. 50 (trans., 63); cf. M. Marín, "Des migrations

Muslim domination of the Ebro and its demise

Andalusi Levant and there began to develop an ideology which promoted self-exile – hardly a surprise, given the choice which they themselves had made.¹³¹ Prestigious thinkers such as Ibn Rushd and Ibn al-Ḥājj expounded an ideal of compulsory emigration – drawing a parallel with the *hijrā* of the early Muslims to Medina.¹³² There were, however, savants who debated the necessity of emigration and who decided to stay put in their Christian-ruled homelands.¹³³ Indeed, the Arabic translation activity of the post-conquest Ebro region hints at a faint continuity of the Islamic learned culture. Contrary to the popular view, Toledo was not the only translation center in the twelfth century and there was an important “northern school” based in the major towns of the Ebro. Indeed, Robert of Ketton, the first Latin translator of the Qurʾān, was a canon at Tudela.¹³⁴

Wealthy merchants may have also had the means to leave the region, and many of them probably did. Trade, however, between the Ebro and other Muslim lands was hardly interrupted by the Christian take-over; so, for those that did stay, business must have been much as usual in the initial period. A document, confirmed in 1252 and dated no later than fifty years after Alfonso I conquered the valley, shows that trade continued from the Ebro to and from Muslim zones of Spain and North Africa, while the surrender treaty of Tortosa explicitly provided for the continuation of local and long distance trade by the town’s Muslims.¹³⁵ Naturally the character of long-distance trade changed dramatically in the wake of the conquest, not only as a consequence of Christian domination, but also as a result of changes in the Mediterranean-wide economy.¹³⁶ Some of the wealthier artisans and townsfolk who might have been tempted to emigrate would have been dissuaded by the unpleasant prospect of being uprooted and, thereby, shattering social and economic networks. Further, there is no reason to assume that Andalusi refugees, faced with the

forcées: les ‘Ulema d’al-Andalus face à la conquête chrétienne,” in *L’Occident musulman et l’Occident chrétien au moyen âge*, ed. M. Hammam (Rabat: Faculté des Lettres, 1995), pp. 44ff.

¹³¹ At least forty-three ‘ulamā’ emigrated for this reason: *ibid.*, p. 50.

¹³² M. Fierro, “La emigración en el Islam: conceptos antiguos, nuevos problemas,” *Aurāq* 12 (1991): 20. Ibn Rushd believed that Muslims whose lands were conquered by Christians should be permitted one year to set their affairs in order and emigrate: Lagardère, *Histoire et société en Occident musulman au moyen âge*, pp. 71–72, doc. 1: 290.

¹³³ See K. Abou el Fadl, “Islamic Law and Muslim Minorities: The Juristic Discourse on Muslim Minorities from the Second/Eighth to the Eleventh/Seventeenth Centuries,” *Islamic Law and Society* 1 (1994): 141–187.

¹³⁴ C. Burnett, “A Group of Latin-Arabic Translators Working in Northern Spain in the Mid-12th Century,” *Journal of the Royal Asiatic Society* [no volume number] (1977): 70.

¹³⁵ M. Gual Camarena, “Peaje fluvial del Ebro (siglo XII),” *Estudios de la Edad Media de la Corona de Aragón* 8 (1967): 155; AHTo, Paper, no. 185, f. 3r (December 1148).

¹³⁶ See Constable, *Trade and Traders in Muslim Spain*.

challenges of starting life anew in some foreign Islamic land, would have been welcomed with open arms by their coreligionists on the southern shore of the Mediterranean.¹³⁷

Such concerns would have been especially acute for ‘ordinary’ Muslims, the farmers and wage-workers who made up the bulk of the population. Even some of these folk, however, did flee their homes, as occasional charter references confirm. For example, a document relating to Tudela mentions “the Muslim *exarici* who have gone and departed for Muslim lands . . .” and the emigration of Muslims of this area “who left for other lands” (“que fuerunt ad alias terras”) is further attested by abandoned houses at Murillo.¹³⁸ But documents are often ambiguous. A grant of 1107 records the receipt of houses and properties belonging to Alcarabueia just as he had held “on the day when he went out of Huesca,” but it remains unclear whether he left the lands of Christendom or merely moved out of town.¹³⁹ Nor can occasional references to abandoned mosques, such as at Tudela in 1125, be taken as evidence of large-scale abandonment of the conquered territory – such references are hardly precise, and the Christian notaries used the word *mesquita* to describe all manner of establishments from a town’s congregational mosque to the most humble place of prayer or mundane *hubus* property.¹⁴⁰ Finally, evidence for emigration must be balanced by the efforts of the Christian rulers to tempt Muslims back with promises of recompense. For example, the treaty of Tortosa contains the clause “And those Muslims who are outside Tortosa and who return to this territory within four months, let them have all of their properties and pass with all of their livestock wherever they wish in the lands of the Count [of Barcelona] . . .”¹⁴¹

In any case, even in a “worst-case scenario” of fairly large-scale emigration, the remaining Muslim community would have regenerated rapidly. The non-corporate character of Islam liberates it from dependency on a

¹³⁷ A later *fatwā* of al-Wansharīsi reflects an attitude of hostile suspicion towards Castilian *mudéjares*; the Moroccan *muftī* accuses the refugees of being feeble of faith and having emigrated not for love of Islam, but rather out of material concerns see Lagardère, *Histoire et société en Occident musulman au moyen âge*, p. 48, doc. 1: 182.

¹³⁸ “*xaricos moros qui sunt itos vel andatos ad terras de moros . . .*”: Lacarra, *Documentos para el estudio de la reconquista y repoblación del valle del Ebro*, 1, pp. 192–193, doc. 183 (1129); *ibid.*, 1, pp. 195–196, doc. 186 (1129).

¹³⁹ “*die quando exiuit de Osca*”: *ibid.*, 1, p. 46, doc. 32.

¹⁴⁰ *España Sagrada*, 1, pp. 390–391, doc. 7; also *ibid.*, pp. 391–392, doc. 8 (1129).

¹⁴¹ “*Et illos Moros qui modo sunt foros de Tortoxa et se tornauerint de isto termino ad iiii mensis quod habeant totas suas hereditates et uadantur pasabant toto lur ganato de illos Mauros ubi uoluerint in terras de comes . . .*” *CODOIN*, IV, pp. 130–135, doc. 56. The treaty was subject to reconfirmations, at least as late as 1248: ACA, OM, GP, arm. 4, vol. 3 (115), f. 84r–85r, doc. 270.

Muslim domination of the Ebro and its demise

corporate organizational structure, while widespread Arabic literacy and the continuity of communication and interchange with Muslim lands would have facilitated the development of new 'ulamā' to fill the shoes of the departed. In fact, there may have been many good reasons for Muslims to stay: the disappearance of the ruling elite and changes in the land market would have extended opportunities to individuals who had previously been limited in potential of social prestige and material wealth. In addition, land would have become more readily available and new economic opportunities would have presented themselves. This would have been the case especially in the grain-producing areas, which had been characterized by *latifundia* owned by the aristocracy – once these larger properties had been granted to Christians, the problem of who was to work them remained. Given the scarcity of Christian settlers and Muslim workers' ability to negotiate contracts, wages and leases would have improved. On top of this, with the broad autonomy granted to Muslim communities and the paucity of new settlement, in many areas the Christian presence must have been scarcely noticeable at the outset.

Christian settlement

The other side of the demographic transformation of the Ebro watershed consisted in the arrival of Christian settlers – people (Basques, Navarrese, Mozarabs, Catalans, Aragonese, and European immigrants) whose presence made a profound impact on Muslim society but whose own social configuration was in turn shaped partly by the presence of the indigenous inhabitants.¹⁴² It appears that Christian settlement was relatively slow in getting underway, undoubtedly a cause of concern for kings such as Alfonso I, who realised the connection between settlement and the maintenance of Aragonese authority. Thus, in order to quicken the pace various strategies were employed. First of all, the king claimed much of the conquered territory for himself and set it up under direct governance. Secondly, substantial territories were granted as *honores* (theoretically non-inheritable) to both Aragonese noblemen and foreign knights who had participated in the campaign. The latter were particularly

¹⁴² For an overview of Aragonese conquest and settlement, see Stalls, *Possessing the Land*. The following draws on Bisson, *The Medieval Crown of Aragon*; Durán, *De la Marca Superior de al-Andalus al reino de Aragón*; J. García de Cortázar, *La sociedad rural en la España medieval* (Madrid: Siglo Veintiuno, 1988); J. M. Lacarra, *La reconquista española y la repoblación del país* (Zaragoza: Institución "Fernando el Católico," 1951); C. Laliena Corbera, *Sistema social, estructura agraria y organización del poder en el Bajo Aragón en la edad media (siglos XII–XV)* (Teruel: Instituto de Estudios Turolenses, 1987); C. Laliena Corbera and P. Sénac, *Musulmans et chrétiens dans le haut moyen âge: aux origines de la reconquête aragonaise* (Paris: Minerve, 1991); and S. de Moxó, *Repoblación y sociedad en la España cristiana medieval* (Madrid: Rialp, 1979).

useful in counter-balancing the power of the former, as they would have owed their status directly to the king. In later years, particularly in the period immediately after Alfonso's death, the holders of these grants endeavored with mixed success to acquire hereditary rights. Finally, the Church, in its various manifestations as dioceses, parishes, monasteries and, eventually, military orders, came to control considerable territory, and acted as a further counter-weight to the influence of the Aragonese nobility. In fact, after "the Battler's" will was finally settled, the Military Orders wound up with some twenty per cent of the conquered lands.¹⁴³ The Holy Sepulcher held territory from the middle of the twelfth century, the Hospitallers appeared in the Ebro by 1133, and the Templars by 1130; other Orders, such as Calatrava and Alfama, appeared later. By 1200 these organizations were the single most important class of landholder, particularly towards the sparsely settled southern frontier, which remained under Almohad threat.

As a general rule, the Church also received (the incomes from) all mosques and their dependencies, as at Tortosa, where the bishop was granted the congregational mosque with its appurtenances and all other free-standing "mosques" and cemeteries in the diocese, and at Zaragoza, where the bishop received the "alhobzes" (*hubus* property) dependent on mosques.¹⁴⁴ Through the course of the twelfth century rulers encouraged ecclesiastical corporations to contribute to military campaigns by "pre-granting" them territories as yet unconquered. Thus, in 1163, Ramon Berenguer IV pledged one fifth of all his future conquests to the Temple, along with his own share of the tithes due on those lands.¹⁴⁵ In the thirteenth century, Jaume I enlisted ecclesiastical and secular forces for his conquests of the Balearics and Valencia in the same manner.

The kings, eager to maintain military strength, granted *honores* in exchange for obligations of military service not only to magnates and to the Church, but also to lesser individuals. Thus, in 1106 Galindo Dat received some houses in Almuniente from Alfonso I with an order to fortify them and keep them "well populated" (*bene populatas*) in support of a foot soldier.¹⁴⁶ Similarly, in 1114 Banzo Azones was granted an *exaricus* (*xarike*) named Abdezalema Ibn Ambroz, and his houses and properties in Ejea along with some other land, for which he was to maintain one cavalryman ("caballero armado").¹⁴⁷ It is worth remarking that these grants,

¹⁴³ Bisson, *The Medieval Crown of Aragon*, p. 32.

¹⁴⁴ AHTO, Paper, no. 222, f. 4v (eighteenth-century copy of confirmation of 18 November 1178); Lacarra, *Documentos para el estudio de la reconquista y repoblación del valle del Ebro*, 1, p. 110, doc. 96 (1124).

¹⁴⁵ ACA, OM, GP, vol. 197, f. 8v (1163 confirmed in 1210).

¹⁴⁶ Lacarra, *Documentos para el estudio de la reconquista y repoblación del valle del Ebro*, 1, p. 42, doc. 27.

¹⁴⁷ Durán, *Colección diplomática de la catedral de Huesca*, 1, pp. 139-140, doc. 115 (1114).

Muslim domination of the Ebro and its demise

which were essentially a form of rent or tax-farming with no judicial jurisdiction implied, resembled in some ways the Islamic institution of *iqṭāʿ* rather than a feudal structure. *Iqṭāʿ* was a form of tax-farming used to maintain soldiers, its non-jurisdictional aspect reflecting the Islamic principle that law could not be privatised.¹⁴⁸ While the system of *honores* could scarcely have been inspired by *iqṭāʿ*, there may be a functional relationship, in that the Aragonese rulers also did not want to privatize jurisdiction.

The town militia was another institution which developed as a response to the need for a flexible, standing military force. They were most important in the Aragonese Extremadura, a sparsely populated and insecure zone subject to raids from both Muslim and Christian forces as well as the depredations of bandits.¹⁴⁹ Here, townsfolk were bound to provide whatever arms they could and lend service in defense of their town as well as in the *cavalgadas* of the king. In return, subjects came to enjoy a semi-noble status, particularly those who furnished a horse. Mandatory military service had a long tradition in Aragon and was perceived of by townsfolk as a right, but also an obligation, and thus the kings were obliged to grant exemptions and establish limitations on such service in order to encourage settlement. The *fuero* of Barbastro, for instance, specifies that townsmen were not to be liable for provisioning themselves for a campaign of more than three days.¹⁵⁰ The importance of militias strengthened the position of town councils, which developed a form of self-government analogous to lordly dominion that was particularly common in the Jalón and Jiloca valleys, and around Teruel.¹⁵¹ In addition to the international Military Orders which benefited from Alfonso I's legacy, the Aragonese frontier was also home to two prototypes, the lay-oriented Confraternity of Belchite and the abortive Order of Montreal, both dating from the reign of Alfonso I, as well as the more enduring Order of Alfama.¹⁵² Two other local orders – Holy Redeemer, founded by Alfons I to wage war and redeem captives, and Santa María, both

¹⁴⁸ Guichard describes it as a “concession fiscale”: P. Guichard, *Les musulmans de Valence et la reconquête (XI^e–XIII^e siècles)*, 2 vols. (Damascus: Institut Français de Damas, 1990), 1, p. 239.

¹⁴⁹ For an evocation of the dangerous conditions of the frontier, see the privilege of Escornalbou, below.

¹⁵⁰ *CFCP*, p. 354.

¹⁵¹ See, generally, Lourie, “A Society Organized for War,” and J. Powers, *A Society Organized For War: The Iberian Municipal Militias in the Central Middle Ages, 1000–1284* (Berkeley: University of California Press, 1987).

¹⁵² For the confraternity of Belchite, see Lourie, “The Confraternity of Belchite”; for Montreal, see Lacarra, *Documentos para el estudio de la reconquista y repoblación del valle del Ebro*, 1, p. 182, doc. 173 (1128?); for Alfama, see R. Sáinz de la Maza Lasolí, *La Orden de San Jorge de Alfama. Aproximación a su historia* (Barcelona: CSIC, 1990).

from the Teruel region – were eventually absorbed by the Temple in 1196.¹⁵³

Together with the military factor, the need for settlers drove royal policy regarding the conquered territories, and was perhaps the single most important factor in the development of the Christian Ebro valley. Hence, Alfonso I's *cartas-pueblas* and grants explicitly link settlement and defensive capability.¹⁵⁴ The charter of Santa María de Huelva (1124), for example, justifies the granting of land to “all settlers, horsemen and foot-soldiers” on the basis that their presence will serve “the detriment of the pagans and the defence of the Christians.”¹⁵⁵ Similar conditions in Catalonia inspired identical policies under Ramon Berenguer IV and his successors. The *carta-puebla* granted to Escornalbou in 1170 vividly evokes the need for settlement and strength in the insecure countryside:

And since in the aforesaid place there is a very thick and most terrifying wood where thieves and Muslim raiders frequently lie hidden, and who often ravage the area of the mountains of Siurana and the lands of Tarragona, capturing and killing their victims, and many and innumerable evils arise therefrom, for that reason We give to the aforesaid Church of the blessed Michael and to you, John, and your successors, the aforesaid place that a church and fortress may be constructed there in which the inhabitants may be safeguarded and defended.¹⁵⁶

Obviously, the fact that Escornalbou was a fair distance behind the Christian lines did not mean that it would be secure, as threats came both from within the realm and from rival Christian powers. Thus, Alfonso I's preoccupation with settlement and defense was not linked only to his Muslim adversaries, as his program of granting similar *fueros* to Navarrese settlements shows.¹⁵⁷ While the presence of a Muslim (and Christian) threat made settlement an urgency, it was the continuity provided by the incorporation into the kingdom of the numerically dominant *mudéjar*

¹⁵³ J. M. Ramos y Loscertales, *El cautiverio en la Corona de Aragón durante los siglos XIII, XIV y XV* (Zaragoza: Publicaciones del Estudio de Filología de Aragón, 1915), p. 159.

¹⁵⁴ On this point, I disagree with Stalls (see Stalls, *Possessing the Land*, pp. 95–96).

¹⁵⁵ “totos populatores, caualleros et pedones . . . pro confusione paganorum et defensione christianorum”: Lacarra, *Documentos para el estudio de la reconquista y repoblación del valle del Ebro*, 1, p. 119, doc. 107 (1124).

¹⁵⁶ “Et quoniam in praedictum loco maximum ac densissimum nemus habetur horrendumque nimis, ubi latrones et sarraceni raptore assidue latitant, qui plerumque convincinia montana Siuranae et campum Tarraconensem prorsus vastant, miserosque captivant et occidunt, pluraque mala innumerabilia inde procedunt, idcirco praefatae ecclesie beati Michaelis et tibi, Ioanni tuisque successoribus praedictum locum damus ut ecclesia et fortitudo ibidem construat, in qua eiusdem loci habitatores salventur et defendentur . . .” Font, *Cartas de población y franquicia de Cataluña*, 1.1, pp. 196–198.

¹⁵⁷ Compare, for example, the *fueros* of Cascastillo (no date), Encisa (1129), Casada (1129), and the San Cernin neighborhood of Pamplona (1129). (CFCP, pp. 469–79.)

Muslim domination of the Ebro and its demise

population that alleviated the need for immediate and massive colonization.

Nevertheless, the need to attract at least a quorum of Christian settlers inspired rulers to endow towns with “liberal” charters, which included amnesties for fleeing felons, who could re-enter lawful society by taking up residence on the frontier.¹⁵⁸ Thus, absentee “settlers” comprised a potential problem which rulers like Ramon Berenguer IV addressed by making residence a condition of tenure.¹⁵⁹ Property owners were generally required to reside on site in order to acquire any privileges derived from a town’s charter, although this requirement was sometimes waived as long as there were tenants settled on the property in question. Thus, in 1138 Ramon Berenguer IV (as regent for Petronila) ordered penalties levied on non-resident landlords in Zaragoza whose houses were not inhabited.¹⁶⁰ Similar policies continued to operate through the thirteenth century in Christian Valencia, where Pere II’s confirmation of Jaume I’s *carta-puebla* of Vila-real limited the property grants to Muslims and Christians to individuals who personally resided there.¹⁶¹ Despite such clauses and conditions, it is difficult to gauge colonization and settlement based on the property grants of the post-conquest era. Although in some cases new Christian settlers took the place of Muslims who had emigrated, the mere redistribution of title to land or buildings does not indicate that these had necessarily been vacated. Likewise, to infer that the granting of Muslims’ shops and homes to nobles turned the latter into shopkeepers or residents is mistaken; it merely indicates that they were given the right to collect the corresponding rents and dues.¹⁶²

Eventually settlers did come, although the often significant interval between the conquest of some of these towns and the granting of *fueros* and *cartas-pueblas* indicates that settlement generally lagged. In Zaragoza, for example, the congregational mosque does not seem to have been reconsecrated as the cathedral until 1121, three years after the conquest and two years after the native Muslims were to have evacuated the town proper.¹⁶³ Tudela, conquered in 1115, did not merit the promulgation

¹⁵⁸ See the *carta-puebla* of Belchite, *ibid.*, p. 413 (1116).

¹⁵⁹ See the grants of houses to Pere Blanchard (1149) and Guaspi (1151) in Tortosa: Virgili, *Diplomatari de la catedral de Tortosa*, pp. 69–70, doc. 22, and 73, doc. 26.

¹⁶⁰ Lacarra, *Documentos para el estudio de la reconquista y repoblación del valle del Ebro*, p. 280, doc. 281 (1138).

¹⁶¹ ACA, C., reg. 46, f. 183v (18 April 1284).

¹⁶² Stalls misses this point, describing property recipients as “some kind of business people”: Stalls, *Possessing the Land*, p. 145.

¹⁶³ Lacarra, “La reconquista de Zaragoza por Alfonso I,” p. 94.

Christians and Muslims: contact and conquest

of its own Christian *fuero* until 1127 (although in 1117 a vaguely worded *fuero* had been granted to the general territory); Caseda, in the diocese of Pamplona, did not receive its *fuero* until 1129, more than fifteen years after its conquest, and Añesa, after eleven years.¹⁶⁴ The church of Alquezar (near Huesca) was not constructed until 1083, at least eight years after its conquest.¹⁶⁵ Moreover, these early conquests absorbed most of the available settlers, meaning that the towns on the far bank of the Ebro could only draw colonists attracted by the specific opportunities of the frontier: booty, trade, and land on favorable terms. Here charters of land exchange often required recipients to construct houses, indicating that these settlers did not generally replace a departed Muslim population.¹⁶⁶

As the dust of the conquests settled and the frontier with the *dār al-Islām* moved southwards with the campaigns of Jaume I, the socio-demographic situation in the Ebro watershed 'normalized.' Among the towns, three basic legal systems crystallized, each reflecting the socio-economic structures dominant in a distinct areas. In Old Aragon and in Catalonia *fueros* were established which reflected the influence of "burgher" elements, whereas along the Ebro itself, an urban jurisdiction based on an oligarchy of lower nobility (*infanzones*) took hold; while finally, in the Extremadura, the council-based municipal administrative structures mentioned above continued to dominate.¹⁶⁷ In the countryside, land was administered and owned by the king, the Church, nobles, and private subjects, although town councils, monasteries and especially the Military Orders expanded their seigniorial role. Tension with the king had led to a noble uprising as early as 1034, and through the thirteenth century the struggle over seigniorial jurisdiction and privilege continued, with the nobility eventually triumphing in 1283.¹⁶⁸ The Military Orders and monasteries also endeavored to extend their jurisdictions, converting tenants into seigniorial vassals (but not, strictly speaking, serfs), while the towns of the Extremadura came to exercise lordly "dominion" over the villages of their hinterlands.

Despite such tendencies, a full-blown feudal regime did not develop in the Ebro valley. The count-kings managed to maintain direct judicial and fiscal ties with a significant proportion of their subjects, were fairly

¹⁶⁴ For Tudela: *CFCP*, pp. 420 and 418; for Añesa: Stalls, *Possessing the Land*, pp. 95 and 153.

¹⁶⁵ del Arco, "Referencias a acaecimientos históricos," p. 301, doc. 16, cf. *ibid.*, p. 296, doc. 7 (1075).

¹⁶⁶ See Pedro I's grant of lands to Lope Iñiguez in 1102 in Marcén: Ubieto, *Colección diplomática de Pedro I de Aragón y Navarra*, pp. 374-375, doc. 116.

¹⁶⁷ This tripartite schema is elaborated by J. Lalinde Abadía in *Los fueros de Aragón* (Zaragoza: Librería General, 1976).

¹⁶⁸ Sarasa, *El privilegio general de Aragón*.

Muslim domination of the Ebro and its demise

successful at keeping control over monopolies on public utilities, and exercised a near-universal tax jurisdiction (in which the right to demand military service, or *exercitus*, was included). Serfs as such were rare: most of the work force was free and mobile, and there was no demesne land.¹⁶⁹ Further, a strong current of Roman law, which Jaume I strove to introduce in the thirteenth century, helped counter decentralizing tendencies in the law.¹⁷⁰ By contrast, in Upper Aragon and Old Catalonia conditions were different. In many areas peasants were enserfed, and lords acquired judicial powers (*merum et mixtum imperium*) which included the ability to inflict capital punishment.¹⁷¹ In Old Catalonia servile and semi-servile peasants had had to contend with ‘mals usos’ (abusive seigniorial privileges) since the eleventh century, and in 1283, the *corts* of Barcelona pronounced a broad confirmation of lords’ rights to levy a fee (*remença*) on peasants who wished to free themselves from seigniorial jurisdiction.¹⁷²

Land redistribution and reorganization

The departure of Muslims and the arrival of Christians in the lands of the Ebro entailed a redistribution and reorganization of land-holdings. It is imperative to understand, however, that this redistribution took place on two distinct but interrelated levels: on the fiscal/administrative plane, and in terms of actual use and settlement. Unfortunately, reading the documents, it is not always possible to distinguish between these two modes of redistribution because the language does not explicitly differentiate between them. Fiscal grants were made when tax rights or titles of properties were granted to individuals (very frequently magnates with extensive holdings) or corporations (parishes, monasteries, Military Orders, etc.) on the understanding that they would administer and collect revenue from these lands in exchange or as reward for some service which they had performed or were bound to perform for the grantor. On the other hand, grants of settlement and use were typically directed at individuals, with the understanding that they would physically occupy the properties in question and use them for their personal maintenance.

¹⁶⁹ Contrast Stalls’s credible position in *Possessing the Land* (p. 206) with that of García de Cortázar in *La sociedad rural en la España medieval* (p. 61).

¹⁷⁰ For example, Jaume’s “Vidal mayor,” compiled by the Bolognese-trained jurist Vidal de Canellas, Bishop of Huesca (1236–52), and promulgated in 1247, was not universally accepted uniformly as law until much later, having met with resistance from the Aragonese nobility whose strong sense of custom was difficult to reconcile with Roman-style judicial principles. See J. Delgado Echevarría, “«Vidal Mayor», un libro de Fueros del siglo XIII,” in *Vidal Mayor* (Huesca: Instituto de Estudios Altoaragoneses, 1989), p. 79.

¹⁷¹ *Merum et mixtum imperium* corresponds to civil and criminal jurisdiction.

¹⁷² See Freedman, *The Origins of Peasant Servitude in Medieval Catalonia*, pp. 70–71, 103, 119.

Fiscal grants would have had a negligible effect on settlement and, in fact, such grants commonly specified that the inhabitants of the property (whether Christian or Muslim) were to remain in occupation and come under the administrative jurisdiction of the recipient. For example, the gift to the cleric Garino of properties that had belonged to the brothers Alhatim and Abihafar was probably a gift of rent in view of the recipient's vocation.¹⁷³ Similarly, Alfons I's grant to the magnate Artal de Alagón and his wife Tota of the properties of the "filios Aiumladron," would have been purely fiscal – the Muslim family was to remain on their land.¹⁷⁴ In the case of settlement grants (the recipients of which were overwhelmingly Christian) land would have been organized anew only in previously unsettled areas or those where the former inhabitants had departed *en masse* – otherwise the new settlers would have been integrated into the existing Muslim property and production grid.

A substantial body of documentation (perhaps the majority) surviving from the first century of Christian domination relates to land redistribution – charters characterized for the most part by the grants to Christian parties of properties "que fuerunt" ("which pertained to") such-and-such a Muslim. This phraseology has caused some confusion among historians, some of whom have assumed quite incorrectly that any property "que fuit" of a Muslim represented a proprietor who had abandoned the conquered lands and emigrated as a result of the conquest. Quite on the contrary, the *que fuit* designation was merely a method of identifying a unit of land by eponymous reference to a former owner. For example, in 1276 Arnaldus de Boxados was granted property near Zaragoza which had belonged to ("que fuerunt") a Muslim, Agap, who had himself received the land from Jaume I.¹⁷⁵ Sometimes the "que fuit" designation refers to Christians, as in the case of various properties granted by Englesa and her husband Petrus de Gueta to the Temple in 1198.¹⁷⁶ In other instances, the "que fuit" refers to a Muslim, even when the property had passed through the hands of several subsequent Christian owners. In some cases this referred to an *occupant* who remained on site through the title transfers, but the general persistence through the twelfth century of "que fuit" references to Muslims indicates that Christians were granted pieces of land which corresponded to the pre-conquest system of land organization. This is confirmed by the abundance of records which refer

¹⁷³ J. Lema Pueyo, *Colección diplomática de Alfonso I de Aragón y Pamplona* (San Sebastián [Donostia]: Editorial Eusko Ikaskuntza, 1990), p. 453, doc. 292.

¹⁷⁴ *España Sagrada*, 49, pp. 381–382, doc. 35 (1170); also Vispe Martínez, "La fundación del monasterio cisterciense de Veruela," pp. 350–351, doc. 69.

¹⁷⁵ ACA, C., reg. 38, f. 22v (2 September 1276).

¹⁷⁶ AHN, Cod. 663b, p. 1, doc. 1 (June 1198).

Muslim domination of the Ebro and its demise

to Christians who were granted fields bordered on one or more sides by Muslim holdings, indicating that, as they moved into the patchwork of fields and *huertas*, settlers would have been drawn into the finely tuned Muslim irrigation systems – in such cases, it was the Christians who would have had to adapt to Muslim systems and not the reverse. Part-ownership of Muslim mills also shows that it was Christian owners and producers who were drawn into existing systems.¹⁷⁷ Substantial residual Muslim settlement on the left bank of the Jalón meant that Christian proprietors came to be profoundly integrated into Muslim production and irrigation systems in that area.¹⁷⁸

Issues of continuity in agricultural, irrigation, and land tenure systems will be dealt with in detail below, but it bears emphasizing that the evidence for the persistence of Muslim systems (in lands which continued to be populated in part by Muslims) is overwhelming. Thus, when Alfons I granted Villa Rubea, near Teruel, to the Hospitallers, the Order was to enjoy the appurtenances and rights of the village as they had been in both Muslim and Christian times.¹⁷⁹ Unequivocal proof of continuity can be seen when *mudéjares* regained properties which they had formerly owned but which had passed to Christian ownership. This came about when Muslims who had left as refugees after the conquest chose to return and live under Christian rule, or as a result of other post-conquest redistribution. For instance, in 1209 the Templars restored to *mudéjares* of Miravet full ownership *in perpetuum* of two alluvial islands which had belonged to their ancestors under Muslim rule. A royal grant had given the land to two Christians, but the Templars recovered title in a jury trial at Tortosa.¹⁸⁰

Similarly, grants of formerly Muslim-inhabited houses within towns in the period immediately following the conquest may merely indicate that the Muslims in question had complied with the standard requirement that they move outside the town's walls, and do not necessarily imply either Muslim emigration or Christian settlement. When such grants were fiscal in nature, it was the tax liability or rental income of the property which had been granted, and the former "owner" often remained in effective possession of the property. This was doubtless the case when Pedro I gave

¹⁷⁷ See e.g. AHN, Cod. 995b, f. 68v.

¹⁷⁸ See the documentation in Vispe, "La fundación del monasterio cisterciense de Veruela"; Teixeira, "El dominio del monasterio de Veruela: La gestión de un espacio agrario andalusí"; Á. González Palencia, "Notas sobre el régimen de riegos en la región de Veruela en los siglos XII y XIII," *Al-Andalus* 10 (1945): 79–88.

¹⁷⁹ AHN, Cod. 664b, p. 15, doc. 20 (December 1190).

¹⁸⁰ L. Pagarolas i Sabatè, *La comanda del Temple de Tortosa: primer període (1148–1213)* (Tortosa: Institut d'Estudis Dertotenses, 1984), pp. 325–326, doc. 130.

to the church of San Pedro el Viejo in Huesca various houses, stores, and properties “que fuerunt” of certain Muslims; the church was to hold the properties under the same conditions that the Muslim owners (noted as men and women) had held them, and with the present *mudéjar* tenants remaining in occupation.¹⁸¹ That year the same church also received various shops (*tendas*), described as being “in the possession” (“in manu”) of a Muslim.¹⁸² It was essentially rental rights which were granted in such charters; the Muslims in question did not become the vassals or the property of the recipient. Although town plans (unlike rural networks) could be altered without regard to previous configurations, the fact that houses and shops were also granted in piecemeal fashion meant that the Islamic landscape survived for centuries even in urban environments. Hence, although new Muslim and Christian neighborhoods were added at Ambel after the conquest, the core street-plan of c. 1200 was identical to that of c. 1100 – indeed, the ninth-century village morphology is still in evidence today.¹⁸³

Obviously “que fuit” references should not be used under any circumstances as the basis for statistical analyses regarding Muslim emigration: the sample set in which these documents occur consists only of lands which were redistributed to Christians.¹⁸⁴ Charters of land sales can be equally misleading, and historians should resist the temptation to see in every sale of land by a Muslim a departure from Christian lands. In fact, such reports are balanced by records of purchases, which are plentiful through the twelfth century.¹⁸⁵ Exchanges of land, like that in Pedrola between the Lord of Pedrola and Alagón and ‘Abd al-‘Azīz b. ‘Abd Allāh al-Murādī in 1162, were also common. This transaction is exceptional only because it survives in a bilingual Arabic–Latin document; usually only Latin versions survive.¹⁸⁶ Such transactions demonstrate that Muslims used the post-conquest period to make adjustments to their holdings, consolidating them or taking advantage of the relative ignorance of Christians in matters of irrigation to better their position. Even more than a century

¹⁸¹ Ubieto, *Colección diplomática de Pedro I de Aragón y Navarra*, pp. 256–258, doc. 34 (1097).

¹⁸² del Arco, “Huesca en el siglo XII,” pp. 430–432, doc. 7.

¹⁸³ C. Gerrard, “Opposing Identity: Muslims, Christians and the Military Orders in Rural Aragon,” *Medieval Archaeology* 43 (1999): 147–149.

¹⁸⁴ Esco and Utrilla use such a methodology for Huesca: J. Esco Samperiz and J. Utrilla Utrilla, “La población mudéjar en la Hoya de Huesca (siglos XII y XIII),” in *V Simposio internacional de mudéjarismo. Actas* (Teruel: Instituto de Estudios Turolenses, 1986), p. 190.

¹⁸⁵ See, for example, Haameth’s cash purchase of a Christian property in “Azanecha” in 1158: AHN, Cod. 595b, no. 132 (September 1158).

¹⁸⁶ García de Linares, “Escrituras árabes pertenecientes al archivo de Ntra. Sra. del Pilar de Zaragoza,” 180–183, doc. 7 (1162); see also the document cited on p. 84, n. 54.

Muslim domination of the Ebro and its demise

after the conquest, however, *mudéjar* holdings did not remain static. Only twenty-nine years after Jaume I's fiscal grant of the Muslims of Terror to the monks of Piedra, the latter complained of confusion resulting from the various purchases and exchanges which their *Sarraceni* had made with Christian neighbors.¹⁸⁷ Thus, although the conquest must have been a period of significant emigration, it is better characterized as one of reorganization – in which there was considerable internal movement and readjustment of holdings.

An apparent incongruity in the assertion that Muslims continued to comprise the overwhelming numerical majority of the territory appears in the relative under-representation of Muslims in charters and legal documents of the twelfth century. Such documentary reticence, however, is easily accounted for by the administrative autonomy which the Muslims enjoyed, as a result of which they went unmentioned in most of the legal promulgations of the period. Thus the late thirteenth-century privileges of Calatayud and Teruel do not mention Muslims, despite the fact that these towns had numerically and economically significant minority communities.¹⁸⁸ The preservation of separate judicial administrations may have imported a certain demographic cohesion to Muslim and Christian societies in the initial period of settlement, with the result that the Christians, relatively few in number, tended to settle in discrete areas. Christian land exchange documents therefore reflect the demographic character of these “islands” of settlement rather than the “ethnic” distribution of the population as a whole. For example, the *carta-puebla* of Belchite does not make any reference to Muslim inhabitants, although they appear as property owners in 1154, and later in 1282 when the Bishop of Tarazona endeavored to levy canonical taxes (*primicias*) on them.¹⁸⁹ The exemption from the tithe granted to these Muslims indicates that they were not recent settlers, but traced their presence there back to the time before the conquest.¹⁹⁰

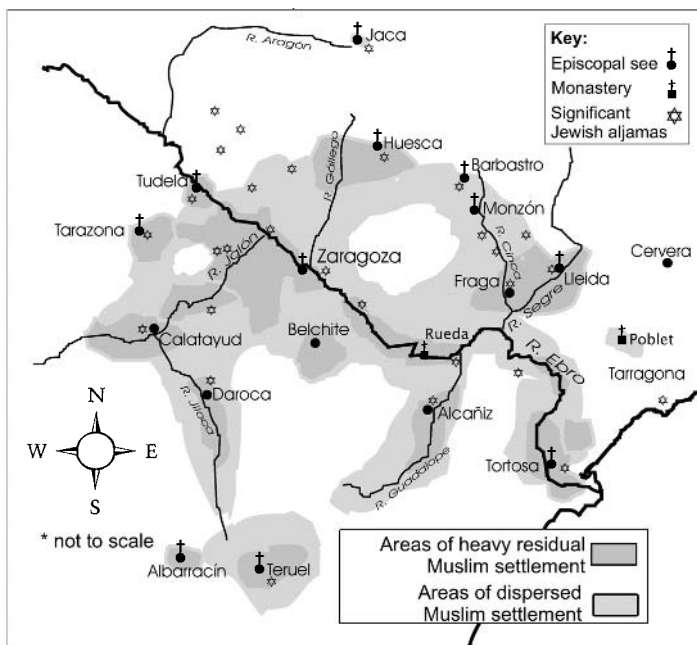
The contention that there was a general exodus of Muslims is difficult to reconcile with the evidence to hand, although in some areas local conditions may have led to mass emigration. Looking across the Ebro watershed of the late twelfth century, one finds significant *mudéjar* settlement in the areas which had been most densely populated before the conquest: around Tarazona and the confluence of the Ebro and Jalón,

¹⁸⁷ ACA, C., Jaume I, pergs., carp. 100, no. 1945 (27 May 1268); ACA, C., reg. 106, f. 18r (10 October 1297).

¹⁸⁸ ACA, C., reg. 47, f. 77v–78r (28 June 1284) and ACA, C., reg. 47, f. 51r–52v (October 1283).

¹⁸⁹ CODOIN, VIII, p. 8, doc. 1 [1119]; Rubio, *Los documentos del Pilar*, p. 57, doc. 67; ACA, C., reg. 59, f. 120v (11 October 1282).

¹⁹⁰ See below, p. 133.



Map 4: Distribution of residual Muslim settlement, c. 1200

in the Sierras de Moncayo and de la Virgen, along the Jalón and in the Campo de Cariñena, along the length of the Jiloca, along the Ebro from Pina to Escatrón, around Huesca and Lleida, not to mention the Ribera de l'Ebre and Teruel. Areas which seem to have experienced larger-scale emigration include the regions of the Cinco Villas and Barbastro–Monzón (both being areas which endured extended periods of frontier insecurity). Similarly the Camp de Tarragona and the Conca de Barberà (the vicinity of Montblanc and Poblet) betray little evidence of *mudéjar* presence in the archival records, but as unstable frontier zones in the era before the conquest they may have been relatively sparsely settled. In any event, this apparent lack may be a function of the nature of surviving documentation; occasional references do allude to settlement in this area.¹⁹¹ The cataclysmic nature of the “rupture” which resulted from the impact of the conquest and the subsequent migration should not be exaggerated.

¹⁹¹ See Part Two, p. 278; cf. J. M. Sans i Travé, *Col·lecció diplomàtica de la casa del Temple de Barberà (945–1212)* (Barcelona: Generalitat, Departament de Justícia, 1997), and J. Pons i Marquès, *Cartulari de Poblet. Edició del manuscrit de Tarragona* (Barcelona: Institut d'Estudis Catalans, 1938).

Muslim domination of the Ebro and its demise

The processes at work in transforming this society were more gradual and subtle than some would believe. Assertions that, despite the presence of *mudéjares*, the conquest of the Ebro valley “was not a change, but a total and definitive rupture” are difficult to accept.¹⁹² This hypothesis, based as it is on the abandonment of the *ḥiṣn*, is over-stated, and undoubtedly represents a view closer to that of the twentieth-century archeologist than the eleventh-century Muslim. The *ḥiṣn* developed as an “institution” of settlement in the Islamic Ebro as a response to political, social, and administration conditions in the eighth to eleventh centuries; once these conditions were altered, once the paradigm which validated the *ḥiṣn* had shifted, the institution was naturally and inevitably abandoned. Societies cannot be understood solely in terms of their settlement structures; culture cannot be reduced to a mere manifestation of systems of production. The Catalans and Aragonese of 1150 were not the Mongols of 1250 and did not seek to or succeed in obliterating the peoples in their path. Societies are constantly in flux and this fact alone dampens “catastrophic” interpretations of social change. The fact that this region continued to be inhabited in substantial measure by the same people, speaking the same language and practising the same customs, reflects the fundamental continuity which such a process of transformation implies.¹⁹³

A society transformed

Chalmeta's suggestion that the *thughūr* constituted a hybrid and bicephalous (“híbrido y bicéfalo”) world, looking towards and connected to both Christendom and Islam, is valid, although it may invite over-emphasis regarding the uniqueness of their situation.¹⁹⁴ In fact, the nascent Christian kingdoms on the other side of the border might be described in identical terms. The sum of the evidence consulted here regarding the character of Islamic and Christian societies in the Ebro watershed leads me to stand with Guichard, who acknowledges interaction and mutual acquaintance but argues against a single essential identity (“identité essentielle”), and underlines differences in the most fundamental mental and social structures (“ses structures mentales et sociales les plus profondes”) of the two societies.¹⁹⁵

¹⁹² “no fue un cambio sino una ruptura total y definitiva”: Sénac, “Poblamiento, hábitats rurales y sociedad en la Marca Superior de al-Andalus,” p. 401.

¹⁹³ The Burns–Guichard debate (see above, p. 39, n. 78) centers on such issues of continuity.

¹⁹⁴ Chalmeta, “El concepto de *tagr*,” p. 27.

¹⁹⁵ Guichard, “Un seigneur musulman dans l’Espagne chrétienne,” pp. 322–323.

Christians and Muslims: contact and conquest

Across the twelfth and thirteenth centuries three general stages of settlement and social development can be discerned in the formerly Muslim-dominated territories of the Ebro watershed. The first phase – occupation – lasted until the 1180s. This involved the consolidation of Christian administration and the end of the period of military uncertainty vis-à-vis the Muslims. From the 1150s to the 1230s the second stage – settlement – saw the retreat of the frontier with Islam, demographic consolidation and expansion, the elaboration of local *fueros*, the granting of more *cartas-pueblas*, and the seignorialization of land tenure. Finally, a period of entrenchment followed in the aftermath of the decisive Christian victory at Las Navas de Tolosa (1212) and with the establishment and subjugation of the Kingdom of Valencia (1235–1277). It was during this period of relative prosperity, preceding the upheavals of the fourteenth century, that the Christian population of the area became the numerical majority. As a result of the conquest a new multi-ethnic society emerged, composed of Christians (including Mozarabs, Catholic Christians, and “foreigners”), Muslims (including Berbers) and (Arabized and Latinate) Jews; in the process, the Islamic society of the Ebro Valley was transformed.

Regarding the number of Muslims who lived in the Ebro valley, one can only hazard a guess: the nature of the sources preclude any precise figures. Perhaps *mudéjares* amounted to something more than a third of a total population of one hundred thousand in the late thirteenth century.¹⁹⁶ In any case, with the exception of veritable towns (Zaragoza, Huesca, Lleida, Tortosa, Tarragona, Calatayud, Daroca, and Teruel), most of the settlements which appear in the following chapters were little more than hamlets clustered around a castle or protected by rudimentary fortifications. Whatever the precise numbers may have been, it is obvious that the Islamic minority was substantial; Muslims and Christians found themselves living together, as neighbors (*vicini*) and business associates, as landlords and tenants, slaves and owners, as fellow subjects (*vassalli*) and citizens (*cives*). The presence of foreign enemies, Muslim and Christian, continued to menace the inhabitants of the Ebro, as did internal disorder. As ever, people continued to move back and forth across the frontier with motives both bellicose and banal. Despite the violence of the times one observes a nearly complete absence of sectarian violence on the part of both the conquering and conquered peoples in the era of settlement; this because, as in the period before the Christian military expansion, individual and group interests did not always coincide with differences

¹⁹⁶ See J. N. Hillgarth, *The Spanish Kingdoms, 1250–1516*, 2 vols. (Oxford: Clarendon, 1976–1978), 1, p. 30; Boswell, *The Royal Treasure*, p. 10.

Muslim domination of the Ebro and its demise

in religio-cultural orientation. Through the late-twelfth and thirteenth century the dialogue of Muslim and Christian society in the Ebro began in earnest as two very different 'systems' (grounded in radically different socio-political and cultural foundations) and the individuals which comprised them came to participate in the new socio-political aggregate which dominated the region: the Crown of Aragon.

PART II

Muslims under Christian rule

. . . [el] çauvalchén de los moros iudga siempre lures pleytos . . . Et el çauvalchén que non puede ho no osa o non quiere fer dreito d'aquiellos que son deiús [su] offitio o fuere non curoso en lo que deue fer deue ser demandada la cort de los cristianos . . .

Vidal de Canellas (1247)¹

وشرط قبول خطاب القاضي صحة ولايته ممن تصح توليته بوجه احتراماً من مخاطبة

قضاة اهل الدجن كتخاة مسلمي بلنسية وطرطوشة موصرة عندنا نحو ذلك انتهى.

Ibn 'Arafa (thirteenth century)²

¹ "The *caualquem* of the Muslims always judges their legal cases . . . And the *caualquem* who is unable, or dares not, or does not want to exercise the law upon those under his authority, or is not diligent in what he has to do, should be brought before the Christian court . . .": Vidal, II, pp. 132–133, secs. I. 70.88 and 92.

² "The acceptance of a declaration made by an Islamic magistrate depends on the legality of his appointment by a valid authority, which is not the case, I must conclude, with the magistrates of the *mudéjares*, like the Muslim magistrates of Valencia and Tortosa and Pantelleria": al-Wansharīsi, *Al-Mi'yār al-mu'rib wa 'l-jāmi' al-mughrib'an fatāwī ahl Ifrīqiyyah wa 'l-Andalus wa 'l-Maghrib*, 12 vols., ed. W. Ḥajjī (Rabat: Wazārat al-Āwqāf wa'l-shū'ūn al-Islāmiyya, 1981), II, p. 133; cf. V. Lagardère, *Histoire et société en Occident musulman au moyen âge: analyse du Mi'yar d'al-Wanṣarīsī* (Madrid: CSIC, 1995), p. 33, doc. 1: 88. This is an excerpt from a *fatwā* promulgated by the Tunisian *muftī* Ibn 'Arafa (d. 1401); Pantelleria (Ar. Qawṣara, here as "Mawṣara") is a small island (mod. Italy), some 80 km east of Tunisia's Cap Bon.

INTRODUCTION

The Christian conquest impacted the Muslim society of the Ebro in virtually every sphere, provoking a series of transformations which some historians believe to have been so dramatic that it is impossible to speak in any meaningful sense of continuity between the pre- and post-conquest cultures. While this position is certainly exaggerated and reflects a rather rigid conception of the nature of societal evolution, it is indeed the case that *mudéjar* society of the late thirteenth-century Aragonese and Catalan Ebro differed significantly from that of the eleventh-century Islamic *Thaghr al-Aqṣā'*. In order to appreciate the changes which resulted from the imposition of the foreign Catalan and Aragonese political and cultural regimes, and to understand what life meant for Muslims living under Christian rule, the character of *mudéjar* society must be investigated according to a number of criteria: administrative, economic, ethnic and social. Many scholars, however, have limited their research to the administrative structures of *mudéjar* society as perceived through Christian documentation. Valuable as this work has been, a descriptive methodology has clear limitations, and in using it, one must carefully navigate between the Scylla of endowing *mudéjar* society with a uniformity it did not possess and the Charybdis of analyzing the *mudéjar* experience as an isolated phenomenon which can only be apprehended in contrast to, rather than enmeshed in, the greater society of the Crown.¹

The reality of human relations then, as now, was of a complexity which cannot be analyzed adequately on the basis of a single mode of social identity (religious, in this case); and an investigation of *mudéjar* socio-economic structures must not stop at describing these, but should also analyze them in reference to the whole of the society in which they are found. Thus, in place of an encapsulation of *mudéjar* administrative

¹ For the basic social and administrative structures of *mudéjar aljamas* see the works by Boswell, Ferrer, Mutgé, and Basáñez in the Bibliography. For thirteenth-century Valencia, see Guichard, *Les musulmans de Valence et la reconquête* and R. I. Burns's many works, especially *The Crusader Kingdom of Valencia: Reconstruction of a Thirteenth Century Frontier*, 2 vols. (Cambridge, MA: Harvard University Press, 1967), and *Islam under the Crusaders*.

Muslims under Christian rule

structures, and of rights and restrictions, the following study builds on the established model, investigating how the structural disposition of *mudéjar* society reflected the trauma wrought by conquest, and analyzing Muslim experience in the Crown of Aragon in terms both of that society's internal transformations and of its interaction with Christian and Jewish groups. To this end, over the next four chapters four broad thematic categories – administrative, economic, ethnic and social – are examined as media of both the integration and the exclusion of *mudéjares* in the Christian-dominated Crown. The adoption of such a “holistic” model is no mere historiographic conceit – no single one of these four themes can be understood without reference to the other three. Thus, any broad study which does not endeavor to consider all of these interdependent experiential planes is bound to be incomplete. That having been said, the present investigation presumes no more than to provide a glimpse of *mudéjar* society from a comparative perspective which has been traditionally under-used. As a historiographic approach, it necessarily suffers from its own defects, just as in its execution it inevitably reflects the subjectivity of the author.

Chapter 3

THE FINANCIAL AND JUDICIAL ADMINISTRATION OF *MUDÉJAR* SOCIETY

The nature of the surviving archival documentation has contributed to a traditional emphasis on *mudejarismo* as principally a judicial, and secondarily a fiscal, phenomenon. The legal statutes of the medieval Crown emphasize the special character of Muslims and Jews as subject through a limited maintenance of their own judicial traditions and legal apparatus and the formal constitution of semi-autonomous local administrations (*aljamas*), to the presence of laws which limited their participation in Christian society and rights before Christian justice. This trend has contributed to a vision of *mudéjares* as comprising a community set apart from the dominant Christian nation with which it coexisted, at best, as a separate solitude or, at worst, as an oppressed out-caste. Toleration of the presence of a Muslim minority within the Crown has been conceived of for the most part, and perhaps not incorrectly, as a matter of economic expediency. *Mudéjares* were tax-payers and producers, valued for their ability to provide funds to lay and ecclesiastical lords, and most importantly, to the royal treasury.

Hence, in fiscal matters too, the *mudéjar* has been conceived of largely as a marginal, passive participant in the politico-economic complex – in essence, an object of exploitation (as if the same could not also be said of the overwhelming bulk of the Christian population). In reality, the boundaries between Christian and Muslim communities were not as clear as the legal and fiscal documentation might lead one to believe.¹ Despite the generous grants of administrative autonomy which Alfonso I, Ramon Berenguer IV, and their successors offered to the Muslim communities which were prepared to accept Christian lordship, the conquest of the Ebro drew Muslims into the fiscal and judicial systems of the Crown, and by the thirteenth century the native Islamic institutions had been transformed into new *mudéjar* institutions.

¹ Contrast my conclusions in “*Secundum suam zunam*,” a study based exclusively on legal statutes, with the conclusions of the present work.

Muslims under Christian rule

In order to understand the implications of this evolution, we need to examine the formal manifestations of the post-conquest Muslim political and social order, the most visible of which is the *aljama* – traditionally portrayed as the “carrier” of *mudéjar* history. To the extent that the “core of a culture is its institutional system,” the *aljama* is indeed an appropriate point at which to begin, but with the understanding that it was the principal rather than exclusive medium of *mudéjar* taxation and judicial administration.² Revenue collection must be analyzed not simply in terms of contributions made by Muslim communities, but taking into account divisions within the community which arose as a result of the role of Christian fiscal forms. These displaced traditional Islamic modes of taxation, and acted as a force to integrate and to separate local Muslim and Christian communities. Once the *aljama* has been considered as a corporation, the identity and competencies of its officials will be examined. This will lead into an analysis of the nature of Islamic justice under Christian power and its relationship with non-Muslim jurisdictions. This study of tax collection, judicial government, and Muslims’ official interaction with both seigniorial powers and neighboring communities will provide a foundation on which to build an analysis of *mudéjar* economy and ethnicity in the succeeding chapters.

THE ALJAMA: THE FORMAL MUSLIM COMMUNITY

Clearly derived from the Arabic root *al-jamīʿ* (“the community”), the term “aljama” was adopted by Christians in the late eleventh century; it does not, however, figure in the surrender documents themselves, but appears with regularity only with the charters of the late twelfth century. Early instances of its use include a charter of 1091, which refers to a council and *aljama* (*aliama*) of Castellar, while according to Alfons I, the word referred simply to all the Muslim inhabitants of any given locale.³ But the term *aljama* was not exclusively applied to Muslims, and was also applied to Jewish communities, as a tax privilege accorded to the Temple in 1207, which referred the Jewish and Muslim *aljamias* (*alyames*) illustrates.⁴ Further, in at least one instance, at Cuart in 1203, it was used to designate a mixed Christian–Muslim group.⁵ Such ambiguities

² M. Smith, “Social and Cultural Pluralism,” in *Africa. Social Problems of Change and Conflict*, ed. P. L. van den Berghe (San Francisco: Chandler, 1965), p. 63. For institutions as the “carriers of history” see D. North, “Institutions,” *Journal of Economic Perspectives* 5 (1991): 97–112.

³ For Castellar: AHPZ, pergs., carp. 1–1 (1091); for Alfons I: *CODOIN*, VIII, pp. 52–54, doc. 16.

⁴ AHN, Cod. 598b, pp. 98–99, no. 62 (8 January 1207). The term is first used to refer to a Jewish community at Tudela in 1170: D. Romano Ventura, “Aljama frente a judería, call y sus sinónimos,” *Sefarad* 39 (1979): 349.

⁵ AHN, Cod. 651b, no. 218 (April 1203).

The financial and judicial administration of mudéjar society

of definition arise out of the fact that the *aljama* was not an institutional imposition of the Christian rulers, but developed organically as a response on the part of Muslim communities to attempts by Christian authorities to integrate two distinct administrative schemas. It began as a descriptor and was eventually reified conceptually. Thus, definitions can only be ventured with the greatest care. Romano, referring to the Jewish *aljama*, characterizes it as an “juridical organism,” a useful, if incomplete, description.⁶ Similarly, Bonnassie and Guichard’s characterization of it as the collective council of sheikhs (elders) of each community is only one possible meaning, doubtless influenced by the focus of Guichard’s work on Berber communities in Valencia.⁷

In fact, the *aljamas* of the Crown were not characterized by uniformity of structure, and a review of the documentation reveals a variety of administrative offices which persisted at least through the thirteenth century. Unfortunately for the historian, those *aljamas* which appear tend to be only the most important, or those which had the strongest links to royal authority. Many communities, especially minor ones associated with nobles or religious houses, are recorded only by chance, if it all, and few clues emerge regarding their internal character.⁸ Generally, *aljamas* were administered by an official called a *çauaquem*, *alfaquinus*, *alaminus*, or *alcaydus*, and in larger communities these posts appear in various combinations, frequently accompanied by offices of lesser authority.⁹ This lack of uniformity can be accounted for by that fact that the set up of each *aljama* reflected the particular social and political organization of that conquered community, rather than any standard model imposed by the conquerors. The term *aljama* should also be distinguished from *morería*, which is sometimes taken as a synonym. Properly speaking, the term *morería* refers to the geographical area within a town in which Muslims were the predominant or only permitted inhabitants. The Jewish equivalents are *judería* and *call* (in Catalan). *Morerías* are referred to as such from the middle of the thirteenth century, although the term appears only sporadically even in the late 1200s.¹⁰ In tax-related documents of that period it was sometimes used in the same sense as *aljama*, but it was

⁶ “organismo jurídico”: Romano, “Aljama frente a judería, call y sus sinónimos,” p. 348.

⁷ P. Bonnassie and P. Guichard, “Les communautés rurales en Catalogne et dans le Pays Valencien (ix^e–milieu xiv^e siècle),” *Flaran* 4 (1982): 95.

⁸ E.g. the *aljamas* of “Faylla,” of Lagata, and of Samper and Letux: [AHN, Cod. 54b, pp. 621–622 (2 July 1295), 496 (1301), and 496–497 (1424, referring to the early thirteenth century).]

⁹ None of these terms had a standard form at this time: *çauaquem* also appears as *çauaquemus*, *alfaquinus* as *alfaqui* or *alfaquim*, *alaminus* as *alamin* or *alami*, and *alcaydus* as *alcadi*.

¹⁰ In the Ebro the term first appears in reference to the Muslims of Huesca, denoting a geographic area rather than a ghetto: ACA, C., reg. 10, f. 138v (20 December 1259).

Muslims under Christian rule

not until the fourteenth century, as the ghettoization of Muslims became more common, that the two terms became functionally interchangeable.

By contrast, the *aljama*, in its functional definition, was held to be the representative body of the Muslims living in a given town or area. As a formal entity it directed the religious, fiscal, and social administration of the community – matters inextricably bound together in Islamic consciousness. When the *aljamas* themselves are examined, however, it becomes frustratingly difficult to pin down this elusive institution or to come up with a single definition of any great detail. Many historians of *mudéjares* equate “*aljama*” with “Muslim community,” a definition appropriate by virtue of its imprecision, although it should only be accepted with the caveat that the *aljama* did not always act for, represent, or have jurisdiction over all of the Muslims in its area, and that not every group of Muslims was represented by an *aljama* in every situation.¹¹ The *aljama* might be described as the corporate manifestation of a Muslim community, but this definition is not entirely accurate either, given that it implies a degree of formality which is not evident in the thirteenth century. Rather than fumbling towards a single definition which might express the essential characteristics of the *aljama* without obscuring its variegated nature, it would be more profitable to adopt a phenomenological approach and search for a “soft” definition by examining the contexts in which *aljamas* are referred to. These are generally limited to a narrow range of circumstances, including taxation, credit, and justice, each of which will now be examined in turn.

MUDÉJAR TAXATION

From the perspective of the count-kings, tax collection was most efficiently managed collectively. Typically, the inhabitants of an area were required to pay a certain sum as “tribute,” but how that sum was raised within the community was often a matter with which royal power did not concern itself. Such was the case with subjects of all faiths, but the multi-ethnic, poly-jurisdictional character of the Crown, the religious aspects of taxation, and the demographic and military circumstances of the conquest all encouraged the tendency for taxes to be assessed separately for each religious community living in a given area. Hence, tax levies were typically directed at Christians and their collectives (*Christianis, hominibus, concilio* and, less often, *universitati*), Jews (*Judeis, aljamae Judeorum*) and Muslims (*Sarracenis, aljamae*) separately. Given this trend, one might easily assume that the development of the *aljama* would have

¹¹ See e.g. Boswell, *The Royal Treasure*, p. 4; Meyerson, *The Muslims of Valencia*, p. 14.

The financial and judicial administration of mudéjar society

resulted in the consolidation of the interests of Muslims as a community along religious lines (and correspondingly among Christians and Jews), with a concomitant diversion of interests across confessional boundaries. The reality, however, was far more complex.

Through the thirteenth century the administrative apparatus of the Crown was anything but stable, and to the extent that it can be at all described as a “system” it was one very much in the process of self-realization. Territorial borders were expanding and the complexities of administering a large and diverse area challenged a “government” which, by virtue of its monarchic-aristocratic character and primitive, vulnerable financial system, was forced to resort to *ad hoc* solutions to problems. Policies, to the extent that they can be said to have existed, were aimed at surmounting immediate obstacles as much as at cohesive long-term programs. Therefore the actual levying of taxes tended to be carried out in a much more chaotic manner than the preceding schema suggests. In practice, the basis for assessing the contribution of a given community rested on any number of factors, including the provisions of the surrender document, the local *fuero* (or *carta-puebla*), any royal privileges or exemptions which might have been obtained, and the degree and manner in which tax rights had been alienated by the king – by sale, by grant, by inheritance, or as an honour in exchange for military service.

Although *aljamas* were the principal means by which *mudéjares* paid tribute to the Crown, their tax jurisdictions were reduced by the fact that many Muslims were, or claimed to be, exempt (*franci*) from royal taxes. Most commonly, a claim for exemption (*franquitas*) was based on an affiliation with some secondary authority (including Military Orders, other ecclesiastical organizations, and individual nobles). Muslims entered associations of this type by royal or private grant, by commending themselves, or by succession. Thus, in 1177 Alfons I presented Azmet Abinahorra and his unnamed brother to the Monastery of Santes Creus “in perpetuum.” The document clearly describes the monastery’s rights, which are limited to the tributary or fiscal “persons” of the two *mudéjares*, rather than their physical or judicial “persons.”¹² Normally grants of this type assume rather than spell out their fiscal nature, a matter which has led some historians to assume incorrectly that *mudéjares* were generally unfree and could be exchanged as chattels. As it happens, the tax rights of Christian subjects were frequently transferred as well, as in an exchange of 1208 in which the Temple received Abdallanum and Zulemam Albarderos of Huesca, for which they ceded some *homines* (Christian men) of Laozta

¹² F. Udina Martorell, *El ‘Llibre blanc’ de Santes Creus* (Barcelona: CSIC, 1947), p. 200, doc. 202.

Muslims under Christian rule

to Pere I.¹³ Similarly, in 1226 the Hospital accepted a cash payment from Mahomey filius de Xuaybo, permitting him to settle in Tortosa as their subject.¹⁴ Although individuals frequently came to be associated in this way with secondary powers, whole communities could also be granted or attach themselves to a patron. Thus, in 1211 the Muslims of Grisén negotiated an agreement with the Hospitallers to come under the order's protection; this was thirty-three years after the Christians of the town had taken the same course.¹⁵ Concerning individual *mudéjares*, commendations of this type typically included a provision which brought all of the named Muslim's future descendants into the pact, as in the case of Hamet Alamir and his wife, Jamilaoj, of Torroellas, who in 1188 pledged themselves and their descendants to the Hospital in order to acquire the favorable tax status of that order's vassals.¹⁶ As a result of such agreements, an increasing number of Muslims would be able to claim title to such an association, and therefore to *franquitas*, as the years went by. Meanwhile, other individuals claimed to be exempt from community taxes on the basis of their position within the *aljama* (officials and their families were commonly granted exemptions) or by grace of a privilege granted by the king or some other power in recognition of a special service.¹⁷ In 1242, for example, Jaume I wrote to Faratg filio de Abdella Auinlatro, the *alcaydus* of Zaragoza, confirming that he, like his predecessors, was to enjoy a complete exemption from royal taxes on the basis of his commission.¹⁸ Such largess cost the king nothing, given that it did not result in a net reduction of his receipts from the *aljama* in question.¹⁹

Royal and seigniorial tax jurisdictions

Thanks to the system of grants and *honorés* which had made it possible to assemble the military force necessary for the campaigns of the

¹³ A. Bonilla y San Martí, "El derecho aragonés en el siglo XII," in *II Congreso de Historia de la Corona de Aragón* (Huesca: Justo Martínez, 1920), I, p. 288, doc. A.

¹⁴ ACA, OM, GP, arm. 4, vol. III (115), f. 7r (22) (12 December 1226).

¹⁵ M. L. Ledesma Rubio, "Colección diplomática de Grisén (siglos XII y XIII)," *Estudios de Edad Media de la Corona de Aragón* 10 (1975): 704, doc. 6 and 744, doc. 49.

¹⁶ Bonilla, "El derecho aragonés en el siglo XII," p. 262, doc. 27. The document was signed by three Christian and three Muslim witnesses.

¹⁷ Jaume I granted *franquitas* to Muslim tradesmen who rendered him special services (see p. 195), and on two separate occasions the city government of Zaragoza and the "Prior and convent" of the same town's church of Santa María petitioned the king to reward individual *mudéjares* in this manner. (See pp. 266 and 195, n. 77, respectively).

¹⁸ ACA, C., reg. 231, f. 10v (8 April 1242), cit. in BMA, p. 294, doc. 807. Tellingly, a transcription of this letter was appended to the notice of appointment delivered in 1304 to a later *alcaydus*, Ali Alaziz: ACA, C., reg. 231, f. 10r-v (30 September 1304).

¹⁹ In fact, the granting of *franquitas* increased the royal tax base, as *franci* could be pressed into paying "extraordinary" taxes or making "loans" to the royal fisc.

The financial and judicial administration of mudéjar society

Ebro, various parties (the count-kings, nobles, Military Orders and the Church) acquired the right to collect taxes from Muslim communities. In the late twelfth to early thirteenth century, however, royal policy was directed towards gaining control over this revenue, both in terms of specific *aljamas* which did not come fully under royal title, and in terms of consolidating control over all *mudéjares* in general. Tortosa, for example, had originally been shared by the Templars and the Montcada family, but after a protracted period of bargaining came fully into the hands of the Crown in 1294.²⁰ The program of royal control aimed to secure for the royal *curia* additional revenues generated directly from taxation, and by the collection of the lord's portion of judicial fines. Further, in the "zero-sum game" of royal-noble political struggle, any commensurate reduction of influence and income for the nobility would be a happy by-product of the policy. Once the right of royal control was established, the taxes of these communities could be temporarily diverted in the form of *honores* to parties to whom the king was indebted, or in order to maintain military capability. Smaller, specific disbursements were also made in this manner, as when Jaume II granted Petrus de Roda the one hundred and ten *solidi* which the Muslims of Rueda owed him for the licence of their notarial office.²¹ Broader, longer-term grants were also common. Thus, in 1280, the *aljama* and the non-Muslim residents of Almonacid were ordered to pay all of their royal taxes to the noble Petrus Cornelli, and the council and *aljama* of Aranda were ordered in 1284 to divert all of their royal dues to the Aragonese magnate Eximinus de Urrea.²² "Subinfeudation" of such *honores* was also practised, as demonstrated by Petrus Cornelli's grant *inter vivos* in 1277 of the town and castle of Alfajarín (along with all of its inhabitants) to his son, Eximinus Cornelli.²³ But the terms and language of the charters emphasized the limited rights to which the recipients of such "pro honore" grants were to enjoy: they were specifically fiscal, and the grantee was described as holding the property on the king's behalf as a temporary intermediary.²⁴

Legal jurisdiction over Muslims tended not to be included in either the temporary or the permanent grants; *mudéjares* were not normally allowed to be fully "enserfed" in a judicial sense. Hence, while Muslims living on seigniorial (and ecclesiastical) lands may have been subject to local noble

²⁰ The Montcada family gave up their rights to Tortosa in exchange for lordship over Fraga.

²¹ ACA, C., reg. 97, f. 182r (4 August 1293).

²² ACA, C., reg. 48, f. 140r (9 September 1280); ACA, C., reg. 43, f. 73v (25 November 1284).

²³ ACA, C., Pere II, pergs., carp. 115, no. 374 (1 October 1283).

²⁴ See e.g. the grant of Aranda to Johannes Eximini de Urrea on 29 August 1291 (ACA, C., reg. 83, f. 137r), of Borja to Pere d'Ayerbe on 31 March 1291 (ACA, C., reg. 83, f. 135v) and subsequently to Blasco de Alagón on 13 November 1291 (ACA, C., reg. 83, f. 137v), or of Santa Cruz to "Petrus G. de Castellione" on 9 October 1293 (ACA, C., reg. 96, f. 65v).

courts in some circumstances, lordly jurisdiction was restricted. Thus, when the *Vidal mayor* acknowledged that all inhabitants of such villages should bring their pleas before the local *justicias* (magistrates), this clause referred to civil cases involving Christians.²⁵ Muslims maintained their royal legal rights irrespective of the identity of the holder of the tax *honor* of their town. Thus, in 1264, Jaume I assured the Muslims of Aragon that they could not be imprisoned for any debts aside from the royal *peyta*, nor punished corporally without a trial (before a royal magistrate), even in criminal cases.²⁶ In 1283 Alfons II reiterated the principle that Muslims living in seigniorial or other non-royal regimes were to come only under the jurisdiction of the *sunna*.²⁷

Nor were liberties, such as the right to alienate property or transfer residence, affected by such transfers of tax jurisdiction (though these freedoms might in fact be limited by other contractual agreements). As Meyerson sums up, referring to the fifteenth century, "Despite this distinction between royal and seigniorial Muslims – an important one since it determined to whom the Mudejars paid their taxes – the Crown still possessed ultimate jurisdiction over all the Muslims in its realms."²⁸ This principle went back at least to the time of Pere I and was enshrined in 1247's *Vidal mayor*.²⁹ Pere I's grant of the taxes of the *aljama* of Luceni to Garsius Martini de Figuera and Mafomet (the town's *sabasala*) for six years reflects the strictly financial character of such investitures.³⁰ That having been said, lords themselves often operated according to their own jurisdictional criteria, as reflected in a letter from Arnaldus de Castellnou, the Provincial Master of the Templars, to Raymundus de Montcada, Lord of Fraga, who together enjoyed co-dominion over Tortosa with the king. In 1271 the Templar indignantly warned his co-seignior that Jaume I was trying to usurp their jurisdiction over the Muslims and Jews of the town, on the grounds that all of these were direct royal subjects.³¹ Similarly, that same year Jaume was driven to caution the municipal officials of Borja not to attempt to exercise any jurisdiction over the Muslim subjects of the Monastery of Veruela without his own prior and specific permission.³² Such warnings were issued with frequency, whenever municipal

²⁵ *Vidal*, II, p. 180, sec. II: 22. (See p. 112, n. 170, for the *Vidal*.)

²⁶ AHN, Cod. 54b, pp. 109–110 (3 March 1264).

²⁷ S. Romeu Alfaro, "Los fueros de Valencia y los fueros de Aragón 'jurisdicción alfonsina'," *Anuario de Historia de Derecho Español* 42 (1972): 108, doc. 1.

²⁸ Meyerson, *The Muslims of Valencia*, p. 14.

²⁹ J. L. Lacruz Berdejo, "Dos textos interesantes para la historia de la compilación de Huesca," *Anuario de Historia del Derecho Español* 18 (1947): 537, doc. 12; *Vidal*, II, p. 478, sec. VIII: 19.17–9.

³⁰ ACA, C., reg. 46, f. 20r (9 October 1279).

³¹ ACA, OM, GP, pergs., arm. 4, carp. 21, no. 43 (3 September 1271).

³² AHN, Clero, pergs., carp. 3768, no. 17 (27 August 1271).

The financial and judicial administration of mudéjar society

officials attempted to overstep their bounds. Hence, in 1290, Alfons II was led to remind the *justicia* (magistrate) and *jurati* (councilors) of Daroca that they could not imprison *mudéjares* without prior permission from the royal *baiulus* (Cat. *batlle*, 'bailiff') and the Muslim *alaminus*.³³ Noble seigniors were frequent offenders. A typical scenario can be seen in 1300, when Guillelmus de Montcada, Lord of Fraga, demanded the extradition of a Muslim accused of attacking a house in Torrente de Cinca which belonged to one of his subjects. When Ramon de Ribera, the Hospitaller castellan of Amposta, refused to hand over the suspect on the basis that he himself enjoyed *merum et mixtum imperium* over the village, Guillelmus retaliated by capturing three third-party *mudéjares* of Torrente who happened to be in Fraga. Jaume II, who actually had jurisdiction over the hostages, sent repeated orders to Guillelmus to free them, but these went unheeded.³⁴

In addition to secular taxes and tributes which were levied in the Crown, the Church and its agents also administered canonical taxes: the *primicias* and *decimas* ("great and small" tithes) which were levied throughout Latin Christendom. Naturally, the presence of a substantial Muslim population in the Crown's lands called for some sort of policy in their regard. Since the initial Aragonese expansion, it had been held that Muslims, being non-participants in Christian ritual, should not have to pay the tithes which were required from their Christian neighbors. *Mudéjares* were, however, obliged to pay *primicias* and *decimas* on specific plots of land which they owned or worked if these properties had passed under Christian ownership at any point since the conquest, a principle which was confirmed in both ecclesiastical and royal ordinances of the thirteenth century.³⁵ However, as early as 1167 the Church had been complaining that Muslims and Christians were conspiring together to evade ecclesiastical taxes – an allegation which religious authorities repeated frequently over the following century.³⁶ Indeed, the 1290s saw widespread refusal on the part of both Muslims and Christians in Aragon and Catalonia to pay

³³ ACA, C., reg. 81, f. 156r (20 August 1290). The *baiulus* was a royal or seigniorial rent collector, with jurisdiction over a single municipality and its dependent villages.

³⁴ AHN, Cod. 659b, pp. 85–87 (8 June 1300, referring to a document of 30 May 1300) and pp. 83–85 (8 June 1300). Tensions between the lords of Amposta and Fraga continued to simmer, and a similar case in 1309 led Guillelmus to authorize an armed raid on Torrente that year: AHN, Cod. 659b, p. 87–9 (8 May 1309).

³⁵ See Lacarra, *Documentos para el estudio de la reconquista y repoblación del valle del Ebro*, I, pp. 192–193, doc. 183 (1129). For the legal position, see J. M. Pons Guri, "Constitutions conciliars Tarraconensis," *Analecta Sacra Tarraconensia* 47 (1974): 83, Lleida 1229, sec. XIV, cf. *Fuero*, 11, sec. 5 and *Fori*, p. 94.

³⁶ For the dispute of 1167 see F. Fernández y González, *Estado social y político de los mudéjares de Castilla. considerados en sí mismos respecto de la civilización española* (Madrid: Real Academia de la Historia, 1866), pp. 303–304, doc. 8 (also ed. in *España Sagrada*, XLIX, pp. 382–384, doc. 36).

Muslims under Christian rule

primicias and *decimas* on lands which they had exchanged with members of the other religion, with episodes of resistance flaring up throughout the diocese of Zaragoza, in Calatayud, Borja, Tarazona, and Albalate (near Lleida).³⁷ Further confusing the situation was the fact that Jaume I had himself abrogated this principle in a general privilege he granted to the *mudéjares* of Aragon in 1264, which stated without reservation that the Muslims of the kingdom were to be exempt from *primicias*.³⁸

Taxation and identity

The collection of taxes according to religious community contributed to a sense of social solidarity along sectarian lines, although religious affiliation was not always the basis of tax assessment. The documents are not clear as to who was to be included in each levy, and the criteria of collection varied frequently, almost capriciously, according to year, locale, and type of tax. In some towns, such as Saviñán, Alfamen, Almonacid de la Cuba, Zaragoza, and Tarazona, taxes tended to be collected almost exclusively along sectarian lines. In these cases, no levy explicitly directed at the towns' Muslims ("aljama Sarracenorum" or "Sarracenis") refers to Christians as being included in the assessment, although those directed at "hominibus", which normally indicated Christian subjects, may have included Muslims in some cases.³⁹ In other towns, such as Aranda, the method varied: assessment of most taxes was carried out separately, except for the *azemilas* (a head-tax on mules), of which each community paid half.⁴⁰ In many locales, including Illueca, Malón, Pina, Ricla, and Rueda, taxes were assessed according to the total number of inhabitants of all faiths, with the administrators left to work out individual or community contributions. Thus, Pina's tribute for 1278 was set at four thousand *solidi* for "the whole council of Pina, Christians and Muslims."⁴¹ Ricla's tax debt was assessed at a flat rate for which the whole council, Christians and Muslims, were liable.⁴² Similarly, the joint Christian-Muslim council of Rueda was informed by Alfons II that it would have to pay the town's annual *peyta* – a tax assessed on movable and immovable properties – together.⁴³ It comes as little surprise that in such cases Christians and

³⁷ ACA, C., reg. 88, f. 136r (17 November 1292); ACA, C., reg. 93, f. 370v (24 November 1292); ACA, C., reg. 93, f. 371r (24 November 1292); ACA, C., reg. 93, f. 372r (26 November 1292); ACA, C., reg. 108, f. 75r (29 May 1297).

³⁸ AHN, Cod. 54b, pp. 109–110 (3 March 1264).

³⁹ See ACA, C., reg. 324, f. 12r (Autumn 1294).

⁴⁰ ACA, C., reg. 103, f. 322r (2 April 1296).

⁴¹ "tocius concilii de Pina Christianos et Sarracenos . . .": ACA, C., reg. 40, f. 141r–v (29 July 1278).

⁴² See e.g. ACA, C., reg. 65, f. 57v (26 February 1286).

⁴³ ACA, C., reg. 73, f. 38v (12 June 1287).

The financial and judicial administration of mudéjar society

Muslims frequently disagreed as to the amount owed by their respective communities. Such a dispute in Pina, regarding the *peyta* due for two *cavallerias* – the fee for maintaining a cavalryman – was resolved in 1292, when Jaume II ordered the Christians to pay two shares to the Muslims' one.⁴⁴ The fact that assessment for different taxes varied within the same town further complicates any attempt to make generalizations regarding the details of revenue collection in the thirteenth-century Crown. For instance, while the *peyta* was almost always assessed separately on each community (Pina aside), the *cena* was normally assessed as a total sum for all of a town's inhabitants, although at Magallón and Pina it was assessed separately.⁴⁵

The degree to which the taxation system contributed to *mudéjar* integration or exclusion is very much a function of specific circumstances. On the most general level, it contributed to integration: through taxation Muslims were directly involved in the Christian fiscal system, an arrangement which had rational and theoretical foundations very different from their own, based as it was on custom and on the right of the sovereign rather than on divine revelation and a few historically remote precedents. The imposition of taxes assessed arbitrarily on the basis of population level or the estimated total wealth of the community ran counter to the Islamic principles of a strictly personal liability based on individual wealth or income. Further, although the initial assessments after the conquest would have been set to correspond to Muslims' customary level of taxation, any such correlation would have been weakened by several factors: grants of *franquitas*; the tendency of *mudéjares* to resist paying community taxes (by physical or jurisdictional flight, or outright disobedience); and demographic changes. In such scenarios fiscal integration would have been clearly to the prejudice of Muslims, causing tensions and divisions within their communities of a type which would not have arisen before the conquest. Indeed, the concept of arbitrary tax *franquitas* was a clear innovation which would have been welcomed only by a privileged few and resented by the unfortunate majority, upon whom the remaining burden fell more heavily as a result.

⁴⁴ ACA, C., reg. 94, f. 113[133]v (28 December 1292).

⁴⁵ See e.g. ACA, C., reg. 68, f. 83v (24 October 1287); ACA, C., reg. 85, f. 11v–12r (16 April 1289); ACA, C., reg. 90, f. 97r (20 October 1291); ACA, C., reg. 18, f. 31r (June 1272); ACA, C., reg. 23, f. 3r–v (31 July 1274). *Cena* was the hospitality which communities were required to extend to the king. By the thirteenth century it had become a regular tax not contingent on a royal visit (“*cena de ausencia*” versus the “*cena de presencia*”), and the obligation was sometimes extended to cover visits by individuals of lesser rank. In his memoirs Jaume I describes the *cena de presencia* which the Muslims of Tortosa paid him in 1233 (Jaume I, “*Crònica o llibre dels feits*,” p. 82, doc. 184).

Muslims under Christian rule

Franquitas as a mechanism of mudéjar divisiveness

The introduction of *franquitas* did, in fact, encourage a type of solidarity among Muslims, but one which was directed against members of their own faith and, as often as not, their community leaders. The heritability of *franquitas* status prompted the pool of theoretically tax-exempt Muslims to increase dramatically over the course of the thirteenth century, contributing to an atmosphere of increasing fiscal desperation in the *aljamas*. This deterioration of the community financial base is reflected by the relentless litigation in which *aljamas* were driven to engage in an effort to eliminate the tax-free status of certain members, particularly during the last quarter of the century.⁴⁶ The vacillating responses of the kings, who sometimes confirmed, sometimes denied or otherwise qualified, *franquitas* privileges, further encouraged instability and contributed to an air of ongoing crisis. This was not an exclusively *mudéjar* phenomenon; Jewish communities came under similar pressure, to which they also responded with civil litigation, as when in 1292 the *aljama judeorum* of Zaragoza sued its own *alfaquinus* and his daughter over their claim of *franquitas*.⁴⁷ Christian society faced an analogous situation, having to contend with the *infanzones* (the broad lower nobility), who enjoyed exemptions from some or all of the customary community taxes. In Aragon this group comprised a substantial minority; a typical municipal privilege (Teruel, 1280), bestowed *franquitas* on any inhabitants (“*hominibus*,” which here refers, presumably, to Christian men) who could provide a horse and arms when mustered for battle.⁴⁸ Mirroring legal tensions in Muslim communities, *infanzones* often complained to the king or sued their communities in order to defend their tax liberties. In 1282, for example the council of Zaragoza had disputed the *infanzonía* (noble status) of a certain Stephanus d’Osc, and in the following year the *infant* Alfons reprimanded the town government for violating the *franquitas* of Johannes, a master physician.⁴⁹ Likewise, in 1292 the *infanzón* Arnaldus Sisthai complained that the council of Pina was forcing him and his brothers to pay community taxes, and seven years later Jaume II reprimanded officials in Alagón for forcing two *infanzones* to do the same.⁵⁰

This apparently aggressive attitude of the fiscal communities must be measured against the widespread attempts of non-*franci* tax-liable constituents to evade their responsibilities in this regard. Some of these

⁴⁶ See Part Three, Case Studies 1 and 2, pp. 329ff and 339ff.

⁴⁷ ACA, C., reg. 92, f. 131r (23 June 1292). ⁴⁸ ACA, C., reg. 44, f. 196v (14 May 1280).

⁴⁹ Á. Canellas López ed., *Colección diplomática del concejo de Zaragoza*, 2 vols. (Zaragoza: Ayuntamiento, 1972), II, pp. 188, doc. 261, 208–209, doc. 302.

⁵⁰ ACA, C., reg. 94, f. 205r–v (26 December 1292); ACA, C., reg. 113, f. 170v (20 June 1299).

The financial and judicial administration of mudéjar society

individuals claimed false associations with families, Military Orders, or organizations which were entitled to exemptions, while others adopted more imaginative tactics. A common trick of *mudéjares* was hiding one's goods and possessions with accomplices, either ostensibly poor Muslim widows, or in the homes of Christians, who would not be subject to *aljama* assessments.⁵¹ Changing one's official residence was another possibility, and the *aljama* of Daroca complained repeatedly that local Muslims had moved their goods "off shore" to neighbouring hamlets.⁵² Another semi-legitimate tactic consisted of marrying into *franci* families. In 1304, a group of *mudéjar* women from Zaragoza ("Sarracene filie Sarracenorum dicte aljame qui sunt de seruitute nostra"), headed by a certain Fatima filia Mahometi de Lopello claimed *franquitas* because they had married *franci* men. Three years of litigation followed, at the end of which Jaume II struck down their claim, ruling that the status of their husbands did not affect property these women owned.⁵³

Royal authorities were aware that, irrespective of their religious identity, legitimately *franci* subjects endeavored to evade their fiscal obligations to their communities and to the Crown. Hence, in certain cases tax levies specifically noted that exempt groups were meant to contribute. For example, in 1283 orders to repair municipal fortifications of Barbastro commanded *infanzones*, clerics, Jews, and Muslims to contribute to costs. The inclusion of this clause was no mere formality, for six days later a complaint reached the royal court that members of these same estates had refused to contribute to wall maintenance in Tauste.⁵⁴ This was not an isolated case, and the royal court was forced to intervene frequently on behalf of councils and *aljamas* when individuals who enjoyed limited *franquitas* due to a specific tenancy relationship attempted to claim total tax immunity.⁵⁵ In 1300, for example, the *aljama* of Malón successfully sued Abderramen de Guaçil and Mahomat Barragan, vassals of the noblewoman Maria Enerchi, who had refused to contribute for *realencho* land they held. Unlike the land they held from María, which was exempt on the basis of her noble status, *realencho* land (Cast. *realengo*) was property held from the king, and hence subject to royal taxes.⁵⁶ Partially offsetting any tax advantage which they enjoyed, *franci* of all faiths were required to make occasional compulsory loans or extraordinary payments to the

⁵¹ See p. 334, and ACA, C., reg. 103, f. 198v (15 March 1296).

⁵² *Ibid.*; also p. 173 below.

⁵³ ACA, C., reg. 132, f. 221v (17 June 1304), cit. BMA, p. 314, doc. 866; ACA, C., reg. 141, f. 68r-v (20 October 1307), cit. *ibid.*, p. 314, doc. 1111.

⁵⁴ ACA, C., reg. 61, f. 132r (20 May 1283); ACA, C., reg. 61, f. 138v (26 May 1283).

⁵⁵ See Part Three, Case Studies 1 and 2 pp. 329ff and 339ff.

⁵⁶ ACA, C. reg. 116, ff. 183v-184r (19 October 1300), cit. BMA, p. 227, doc. 614.

Muslims under Christian rule

royal treasury and to pay dues and tribute to the organizations which sheltered them. Pere II's demand of 50,000 *solidi* from certain Christians of Teruel in 1281 is a typical example of the count-kings' repeated requests for loans from *franci* Christians, Jews, and Muslims.⁵⁷ Thus, although it clearly bestowed benefits, *franquitas* cannot be described simply as "liberty from taxation."

Islamic taxation under Christian rule

While all Christian and many Muslim subjects were required to pay ecclesiastical dues on top of what they owed to secular authorities, *mudéjares* also bore the burden of their own canonical taxes. Unfortunately, if the information we have on Muslim taxation in the pre-conquest *Thaghr* is minimal, that which survives from the post-conquest era is virtually non-existent. The interest of Christian administration was limited to ensuring that the taxes which were due to it were paid; records of internal *aljama* taxation were of no value, and hence were not preserved. Generally, it is reasonably safe to assume that whatever fiscal structures had been in place before the conquest continued to function in the transitional period, taking on the additional role of administering the tribute which had been agreed to pay the conquerors. By the middle of the thirteenth century, however, when specifically *mudéjar* institutions had evolved, the internal fiscal arrangements of the Muslim communities had undoubtedly also been transformed, affecting not only the administration of tax paid to Christian entities, but also mechanisms of internal taxation.

Given the lack of documentary evidence, any hypothesis regarding the collection of Islamic taxes among *mudéjares* of the later period must be inferred. The most logical point of departure is to consider needs which would not have been covered by Christian institutions and which would therefore need to be supported independently by the Muslim community. These would have included maintenance and construction of mosques, salaries or honoraria associated with non-administrative religious offices (such as the muezzin, imam, and religious teachers), the operation of charities dedicated to serving Muslims, and perhaps, paying for the maintenance of local *sharī'a* courts and their officials. The last item is questionable, given that royally appointed officials were paid either a salary or a share of the fines they levied (normally one third). Otherwise, such community expenses may have been covered in part

⁵⁷ ACA, C., reg. 49, f. 35r (27 February 1281). For Jews and Muslims, see D. Romano Ventura, *Judíos al servicio de Pedro el Grande de Aragón (1276–1285)* (Barcelona: Universidad de Barcelona, Facultad de Filología, 1983), pp. 28 and 100; Lourie, "Anatomy of Ambivalence," p. 36.

The financial and judicial administration of mudéjar society

by the operation of a system of pious endowment: *hubus* or *waqf*, along with or by an obligatory alms payment (*ṣadaqa* and *zakāt*). Indeed, two late thirteenth-century documents, both relating to the appointment of “Foçen filio de Pharach Auinlatron” to the offices of *alcaydus* and *scriptor* of the *aljama* of Zaragoza, refer to *ṣadaqa* and *hubus*. Foçen had been assigned these properties as part of his official competence in 1263 by Jaume II, and they were confirmed by Pere II in 1278.⁵⁸ The first letter places the “azeidaques” under his power and the second grants him the “alhabeçes” within his jurisdiction, although whether as recipient or administrator remains unclear. Whatever the rights were understood to be, they were duly passed on to his successor, “Ali Alaziz filio quosdam [sic] Aly Abennaxon” by Jaume II in 1304.⁵⁹ Neither *ṣadaqa* nor *hubus* are mentioned in other surviving records of appointment, suggesting that they fell under the control of the local Islamic judge as a matter of course, and therefore did not need to be stated. Otherwise, occasional references in land exchange documents to fields and buildings which belonged to mosques, and which no doubt provided income by means of *exaricus* or tenant arrangements, offer the only hints regarding community fiscal arrangements.⁶⁰ A much later sixteenth-century document of the Monastery of Rueda confirms this hypothesis: the charter in question recalls a *huerta* and fields in Codo, “which belonged to the council of the Muslims, the sale of which went to their ‘mosque,’ which was for them that which we refer to as a ‘church’.”⁶¹

Given that the same officials administered the Islamic and Christian taxes in each *aljama*, it seems probable that these were collected together and then divided. If this was the case, the problem of *franquitas* takes on a new dimension. *Franci* Muslims may have used their legal status to avoid contributing to the upkeep of local Islamic institutions, whose facilities they would have undoubtedly made use of. Such evasions would have heightened tensions between non-contributors and the majority of the *aljama*, and would have accentuated the ambiguity of the *franci*'s position vis-à-vis their perception as members of the local Muslim community. Sense of community is an essential aspect of Islam, as reflected in the many ritual obligations which serve to reinforce feelings of solidarity (e.g. Ramadan, the communal Friday prayer, mandatory alms-giving).

⁵⁸ ACA, C., reg. 12, f. 22v (12 April 1263); ACA, C., reg. 40, f. 166r (8 October 1278), ed. Canellas, *Colección diplomática del concejo de Zaragoza*, II, p. 85, doc. 59.

⁵⁹ ACA, C., reg. 231, f. 10r-v (30 September 1304).

⁶⁰ For Huesca: UZ, CISPV, f. 134v (January 1191); for Placencia: AHN, Cod. 650b, no. 402 (21 August 1242); for Ambel: AHN, OM, pergs., carp. 629, no. 25 (9 August 1272); and for Pina: AHN, Cod. 649b, no. 480 (28 March 1316).

⁶¹ “que huvo en Codo concejo de Moros, estaba la venta de ellos destinada para Mezquita, que era entre ellos, lo que entre nosotros llamamos Iglesia”: AHN, Cod. 54b, p. 397 (undated, pre-1597).

Muslims under Christian rule

Hence, when *aljama* officials resorted to placing embargoes of Islamic services, such as burial in the community cemetery, on obdurate *franci*, they effectively placed non-contributing *mudéjares* outside of the ethno-religious community.⁶²

In sum, while the details may be obscure, *mudéjares* were undoubtedly obliged to pay Islamic taxes above and beyond the tribute imposed by the conquerors. In that case, however, they would have received services which were not only seen by themselves as daily necessities, but which also would have contributed to their sense of community in the face of Christian encroachment. On the other hand, it is uncertain whether such additional levies made the financial position of *mudéjares* worse in general than that of Christian subjects, who were liable for their own canonical taxes. Quantitative or comparative analyses of tax burdens for this era cannot be carried out with confidence due to the incomplete nature of the data, the subtle and variegated character of taxation (a combination of cash, kind, and services), the multiplicity of overlapping tax jurisdictions, and the variety of economic activities which families and individuals tended to take part in.

TENSION AND SOLIDARITY AS A RESULT OF CROSS-COMMUNITY TAX ASSESSMENT

If the social dynamic within *mudéjar* communities was affected by the overlay of the Christian tax system, the nature of intercommunal relations reflected it as well. When communities found the burden of taxes difficult to bear, they endeavored to lighten their load by shifting liability away from themselves and onto whoever else was at hand. Thus, when Muslim and Christian communities were jointly assessed, conflicts often arose as to the share of the total assessment which each community should be required to contribute. On the other hand, when assessed as an undifferentiated group, Christians and Muslims frequently worked together to resist taxation, or manifested solidarity against Christian or Muslim individuals whom the composite group perceived as opponents. When taxes were assessed based on criteria other than religious affiliation (such as geographical area), those factors became the basis for community consolidation – even between members of different faiths. Examples of such cross-religious solidarity abound in the documentation. For example, in 1280 the joint council of Illueca brought suit against a number of non-resident *mudéjares* who held lands within the town's borders but were not

⁶² Lourie, "Anatomy," p. 33.

The financial and judicial administration of mudéjar society

contributing taxes.⁶³ Similarly, in Ricla, the mixed *concilium* and the *aljama* pursued a legal campaign which lasted for no less than three years against Muslim vassals of the Temple who claimed *franquitas*.⁶⁴ Such episodes of solidarity or tension were transitory in nature and depended on a temporary conjunction of interests between members of the two communities. Nor were Muslims driven to act in conjunction with Christians because the latter enjoyed a higher status: *aljamas* were quite capable of acting independently. Thus Muslims of Miravet were among the communities (including the Christians of Barbastro and Tortosa) which refused to pay the royal *monetaticus* (a tax for the minting of coins) in 1290.⁶⁵

Local collectives, both Muslim and Christian, were prepared to defy royal authority and resist taxation, particularly when the Crown was in a weak position. For example, a year after Alfons II came to the throne and was beset by the rebellious *Uniones*, the Christians and Muslims of Ricla took advantage of the king's precarious political situation by holding back taxes which had been due since the time of his predecessor.⁶⁶ Similarly, four years later the Christians and Muslims of Aranda attempted to evade paying the *redemptio exercitus* (a monetary fee in lieu of military service), and in 1280 the Muslims of Miravet, along with local Christians, refused to render *cena*.⁶⁷ Nor was the king the only object of such resistance. In 1287 the Christians and Muslims of Serés conspired to escape their liabilities to a certain Berengarius, who had inherited that *honor*, by paying homage to another noble of their own choosing. Berengarius had not claimed his right of dominion within the legally prescribed year and a day following his father's death, and the community endeavored to release themselves from the son's lordship through this technicality.⁶⁸ *Mudéjares* even dared to commit outright fraud, as when Lope de Ferrando, a vassal of the Hospital in Cadrete, switched fiscal allegiance to the noble Petrus Latronis in 1300 and tried to keep the land which he had held from the order, claiming it as his own.⁶⁹

Nor did the prospect of taking on the Church discourage Muslim-Christian solidarity, as evidenced by events in the 1290s. In 1291 the Crown was led to order the Christians and Muslims of Malón to pay the *primicias* and *decimas* they had been withholding from a local church, and the following year the Muslims, Christians, and Jews of several villages

⁶³ ACA, C., reg. 48, f. 73v (16 July 1280).

⁶⁴ ACA, C., reg. 92, f. 10r (9 April 1292); ACA, C., reg. 94, f. 152[144]r (4 January 1293); ACA, C., reg. 94, f. 152[144]v (4 January 1293); ACA, C., reg. 102, f. 49v (25 October 1295).

⁶⁵ ACA, C., reg. 82, f. 74r (26 October 1290). ⁶⁶ ACA, C., reg. 65, f. 57v (26 February 1286).

⁶⁷ ACA, C., reg. 49, f. 74r (18 April 1281); ACA, C., reg. 48, f. 3r (30 April 1280).

⁶⁸ ACA, C., reg. 70, f. 81v (3 April 1287).

⁶⁹ ACA, C., reg. 116, f. 14v (13 August 1300), cit. BMA, p. 218, doc. 586.

Muslims under Christian rule

around Daroca refused to pay the expenses of the papal *nuncios*, as they had been ordered to by Jaume II. In 1292 the Christian and Muslim inhabitants of Monclús, under the suzerainty of the Monastery of Rueda, blatantly defied the same king's directive to pay the *cena* and *exercitus* which they had been withholding, until the order was reiterated in a second decree in stronger terms.⁷⁰ Finally, when Jaume II ordered the *mudéjares* of Ariza to contribute tithes to local churches for land which they had purchased from Christians, the local *jurati* refused to intervene, and royal magistrates had to be called in.⁷¹ Further, as was the case with secular taxation, Muslim communities had the confidence to act alone in defiance of ecclesiastical institutions. Hence the refusal of the *aljama* of Daroca to pay the tribute which it owed by custom to the local church of Santa María.⁷² In this case their resistance may have been related to the fact that these funds went to the repair of the parish; Muslims were generally quick to protest when they were implicated even indirectly in the maintenance of "idolatrous" ritual.⁷³ In fact, the royal court sometimes acknowledged *mudéjar* sensitivity in such cases; thus, in 1295 the Muslims of Ricla were remitted their share of the 450 *solidi* for which the town had been assessed for the expenses (*cena*) of the papal envoys.⁷⁴ In other instances, however, *mudéjar* communities used blatantly unjustified tactics. When the Hospital complained that their Muslim subjects in Tortosa were refusing to pay their taxes in 1295, it turned out that the *mudéjares* in question were trying to postpone paying their dues on the basis of a royal *elongamentum* (moratorium) which they had been granted on their debts.⁷⁵ Nor were individual Muslims afraid to withhold taxes and tribute, as a complaint lodged by the Templar commandery of Tortosa in the late thirteenth century shows.⁷⁶

Tax-related frustration even provoked acts of violence against royal officials. In a dramatic episode of 1294 a mob of Muslims (fifty were cited by name in the indictment) physically attacked the *subbaiulus* of Huesca when he tried to levy the *monetaticus*.⁷⁷ The *infant* Pere, who held the *aljama* as an *honor*, issued a blanket pardon at the request of the king and queen once a payment of 1500 *solidi* had been received from

⁷⁰ ACA, C., reg. 90, f. 128r (26 October 1291); ACA, C., reg. 94, f. 206[168]r (26 December 1292); ACA, C., reg. 99, f. 169v (3 June 1294).

⁷¹ ACA, C., reg. 116, f. 179v (15 October 1300), cit. BMA, p. 226, doc. 612. The inertia of the *jurati* may have been due to their own involvement (as vendors to the Muslims) in the affair.

⁷² ACA, C., reg. 70, f. 132r (14 June 1287). ⁷³ See also below, p. 249.

⁷⁴ ACA, C., reg. 324, f. 13r (7 May 1295). ⁷⁵ ACA, C., reg. 102, f. 96r-v (9 December 1295).

⁷⁶ ACA, OM, GP, pergs., arm. 4, carp. 22, no. 81 (no date, probably May 1260–December 1264, see below, n. 171). Several Christian parties were also cited.

⁷⁷ Two of the accused, Muça and Abderramen Albahar, were relatives of the town's serving *çauaquem*, Abraham Albahar and a former official, Aljaffar filio Mahometi Albahar.

The financial and judicial administration of mudéjar society

the culprits.⁷⁸ In another case, a substantial group of Muslims with drawn swords attacked and threatened to kill the royal *portierius*, Guillelmus de Massilia, after he had come to Daroca in 1308 to collect an extraordinary *cena* of three hundred *solidi* on behalf of Jaume II.⁷⁹ An investigation into the events implicated some of the most important members of the *aljama*, including the *alaminus*.⁸⁰

TAX ASSESSMENT AND REDUCTION

A number of factors exacerbated the atmosphere of fiscal insecurity in the thirteenth century, a state of affairs which brought increasing pressure on tax-paying communities. Foremost among these was the almost continual condition of financial crisis and political threat which the Crown faced both at home and abroad. *Mudéjar* rebellions in Valencia, wars with Mallorca, Castile, Navarre, and France, and a series of aristocratic revolts in Aragon and Catalonia, each led the count-kings to demand ever greater and more frequent extraordinary levies. In 1282, for example, Pere II ordered a special 40,000-*solidi* tax on the Muslims of Aragon, commanding the major *aljamas* to each send a representative to Zaragoza to decide how to divide up liability for the levy.⁸¹ A further aggravation was the tendency for taxes to be assessed according to custom. As time progressed, levels of *mudéjar* wealth and population did not remain constant, but were affected by growth, emigration, variable agricultural productivity, and the effects of local political upheavals. Such contingencies had been recognized in at least one agreement, the tax treaty (*convencio*) made by Alfons I and Raymundus de Montcada with the Muslims of Tortosa in 1174, which provided for reappraisals in the event of variations in population. These reassessments were to be carried out in consultation with the officials and important citizens (*probi homines*) of the *aljama*.⁸² Otherwise, kings occasionally intervened directly to correct such imbalances, such as at 1279 in Malón, when Pere II resolved a dispute regarding relative Muslim and Christian tax shares by ordering the latter to pay some three-quarters of the levy. The Christians immediately protested, claiming that the Muslims had presenting misleading evidence at the inquiry. In response, Pere despatched the *baiulus* of the realm, Muça

⁷⁸ ACA, C., reg. 88, ff. 162v-163r (24 January 1294).

⁷⁹ ACA, C., reg. 140, f. 119v (9 July 1308), cit. BMA, p. 412, doc. 1154. Similar events occurred at Altura (Valencia) in 1279: ACA, C., reg. 42, f. 183r (8 December 1279).

⁸⁰ For the royal inquiry, see "El motín de la cárcel," in M. L. Ledesma Rubio, *Vidas mudéjares* (Zaragoza: Mira, 1994), pp. 33-56.

⁸¹ Canellas, *Colección diplomática del concejo de Zaragoza*, II, pp. 181-182, doc. 248.

⁸² ACA, OM, GP, arm. 4, vol.: 3 (115), f. 80r-v (265) (25 June 1174); *CODOIN*, VIII, pp. 52-54, doc. 16.

Muslims under Christian rule

de Portella, to assess each inhabitant of the village according to his or her individual wealth.⁸³ In addition to reassessments, the kings frequently authorized tax remissions, clearly perceiving the preservation of viable and prosperous *mudéjar* communities to be in their interests. Hence, in 1291 Jaume II notified the *alcaydus* of Duosa that local Muslims would not be obliged to render *sofras minutas* until further notice, on account of the community's poverty.⁸⁴ A second despatch sent the same day to the *baiulus generalis* relieved the *aljama* of the tax in kind which they owed on produce.⁸⁵

Aside from exceptional acts of royal intervention, two mechanisms developed to correct the disparities between tax assessment and ability to pay. The first was the kings' right to levy extraordinary taxes and services (as noted above), and the second was the ability of the *aljamas* and other corporations to obtain remissions. Muslim communities became rather adept at this tactic, which must be considered one of the major adaptations made to the Christian "system." Thus, *aljamas* were granted whole or partial remissions of royal taxes with fair frequency, having pleaded poverty or other mitigating circumstances. Whereas some historians have judged these requests as evidence of poverty (and *mudéjar* marginalization), they were more likely a diplomatic method of forcing reductions for the benefit of *aljamas* which were not in fact impoverished. This is most obviously the case when reductions were requested at times of royal vulnerability, when the king needed to count on the loyalty of his *mudéjar* constituency. Thus, the cluster of tax remissions in 1291 (see below, Table 1) may reflect measures taken by the newly crowned Jaume II to encourage personal loyalty among these subjects. The relief granted later in that decade is probably related to the serious unrest which Aragon was suffering as a result of an intensification of banditry among the rebellious nobility. That Muslim communities should negotiate tax reductions with the king in such circumstances is wholly in character with *mudéjar* adaptation to the Christian administrative approach. In any event, even in cases where *aljamas'* claims to poverty were legitimate, the impetuosity of a community corporation should not be interpreted as an

⁸³ ACA, C., reg. 41, f. 94v (25 June 1279); ACA, C., reg. 42, f. 136v (13 September 1279). This dispute did not prevent two communities from collaborating in later tax resistance (see above). Muça de Portella (of Tarazona) led one of several Jewish families who dominated the royal administration in the thirteenth century. As *baiulus* of Aragon (1276–1286), he supervised the collection of all royal rents. See Romano, *Judíos al servicio de Pedro el Grande de Aragón (1276–1285)*, pp. 17–56, 179–92 and 201–7.

⁸⁴ ACA, C., reg. 90, f. 211v (28 December 1291). ⁸⁵ *Ibid.*

Table 1 Extraordinary tax remissions granted to Muslim communities

Year ¹	Place	Community	Relief ²	Justification
1259	Pina	<i>omnes homines de Pina tam Christianos quam Saracenos</i>	all royal taxes for two years	[unspecified]
1259	Tarazona	<i>aljama Saracenorun</i>	maximum liability of 600 <i>sol./a.</i>	grave poverty
1279	Sant Esteban	<i>Saracenorun</i>	<i>exeratus</i> : remission	poverty and want ³
1286	Zaragoza	<i>aljama Saracenorun</i>	debts of 12,000 <i>sol.</i> to be paid over 5 years	degraded state of the <i>aljama</i> and effects of usurious loans
1291	Zaragoza	<i>aljama Saracenorun</i>	<i>tributus</i> : from 3000 to 2000 <i>sol.</i>	want
1291	Lleida	<i>aljama Saracenorun</i>	<i>lezda</i> , <i>pedagio et portatio</i> : <i>fanquitas</i>	want and poverty
1291	Duosa	<i>aljama</i>	<i>sofia minuta</i> : indefinite remission	want and poverty of the Muslims
1291	Zaragoza	<i>aljama Saracenorun</i>	<i>tributus</i> : from 4000 to 2000 <i>sol.</i>	poverty and misery
1292	Zaragoza	<i>aljama Saracenorun</i>	<i>tributus</i> : from 3000 to 1500 <i>sol.</i>	want
1295	Zaragoza	<i>aljama Saracenorun</i>	relief of debts to Jews: 3000 <i>sol.</i> over 3 years	poverty, want, and misery which the <i>aljama</i> has suffered
1295	Tortosa	<i>aljama</i>	unspecified	poverty, misery, and oppression to which [its members] have been subject
1295	Alagón	<i>aljama Saracenorun</i>	for 10 years, to pay max. 300 <i>sol.</i>	poverty and want
1296	Nigiella	<i>aljama</i>	<i>cena</i> : full 1000 <i>sol.</i> remission	want and poverty of the Muslims of Nigiella
1297	Torrellas	<i>Saracenis</i>	<i>cena</i> : full 1000 <i>sol.</i> remission	want and poverty
1298	Tortosa	<i>aljama</i>	<i>lezda</i> : 3-yr. remission	want and poverty

¹ ACA, C., reg. 46, f. 43v (23 June 1280); ACA, C., reg. 10, f. 132v (24 March 1259); ACA, C., reg. 253, f. 35v (17 July 1279); ACA, C., reg. 66, f. 69v (1 May 1286); ACA, C., reg. 90, f. 211v (28 December 1291); ACA, C., reg. 83, f. 91v (26 January 1291), ed. J. Mutgé i Vives, *L'aljama saraina de Lleida a l'edat mitjana* (Barcelona: SIC, 1992), p. 202, doc. 13; ACA, C., reg. 192, f. 17r (12 October 1291); ACA, C., reg. 83, f. 136v (10 August 1291); ACA, C., reg. 100, f. 379v (18 March 1295); ACA, C., reg. 194, ff. 125v-126r (26 December 1294); ACA, C., reg. 194, f. 207v (18 March 1295); ACA, C., reg. 324, f. 246v (21 November 1296); ACA, C., reg. 81, f. 10r (16 January 1289); ACA, C., reg. 75, f. 36r (19 November 1288).

² The *lezda* (or *leuda*) and *portatium* (or *portazgo*) were taxes on merchandise brought to local markets; the *pedagium* (or *peaje*, *peatge*) on the movement of goods and persons. The term *tributus* was a generic term for taxes, and the *sofia minuta* (from the Arabic *al-sūfa*, possibly of Almohad origin) referred to donations in kind or *convés* which tenants were required to render periodically to their lords. See E. Guinot Rodríguez, "Sofras' y prestaciones personales en los mudéjares valencianos," *VI Simposio internacional de mudéjarismo. Actas* (Teruel: Instituto de Estudios Turolenses, 1995), pp. 329-356.

³ Justifications are translated literally, *pauperitas* as "poverty," and *inopia* as "want."

Muslims under Christian rule

indicator of the wealth of its members, particularly in the case of *aljamas*, where the wealthiest families frequently enjoyed *franquitas*.⁸⁶

As it happens, the fiscal crisis was not limited to Muslim collectives: Christian and Jewish communities were also granted tax reductions on the same grounds throughout the late thirteenth century. For example, the monks of Escarp applied for tax relief for poverty in 1279. Further, in 1286 Alfons II remitted the town and villages of Teruel half of an eleven-thousand-*morabetín* fine which Pere II had charged them, and three years later, the same ruler ordered officials to investigate claims by subjects from around Aragon that they could not afford to pay their taxes.⁸⁷ Aside from such run-of-the-mill reductions, special remissions were issued, such as the credit and tax relief granted to the *concilium* of Moros (near Calatayud) in 1298 on the grounds of the damage they had suffered from warfare.⁸⁸ The previous year, the *homines* of Teruel had been remitted the *exercitus* in view of crop failure and the effects of war, and in 1292 the monastery of Camporrotuno was given tax relief “on account of war and other violence suffered . . .” over and above the *cena* remissions which it received the previous year.⁸⁹ The damage to property and the prisoners captured in the “Saracen War” justified tax relief to the *homines* of Tomillas in 1279, while Almonacid received a substantial reduction in 1294 due simply to “the poverty and indigence” (*pauperitatem et indigenciam*) which its inhabitants suffered.⁹⁰ Jewish communities requested and were granted relief of this type as well. In 1260, for example, the Jews of Gerona received a yearly reduction of 300 *solidi* on their taxes on account of poverty, and in 1288 Alfons II considered granting the Jews of Barbastro an *elongamentum* on their debts to two Christians creditors on the same grounds.⁹¹ In fact, a study of the *cena* assessment of the upper Ebro and Jalón for the fall of 1294 (the *collecta* of Petrus de Roda) demonstrates that remissions were granted regularly to communities of every faith, and that tax levels in this era cannot be necessarily interpreted as reflective of the relative wealth of a population. In the case in question, all but one of nine Muslim collectives assessed received a reduction of between 12 and 62 per cent, with the average community paying 52.6% of the amount due. The seven Jewish

⁸⁶ To compare a modern example, although in 2003 the State of California was many billion dollars in debt, the population of California was generally far wealthier than that of many states which had less of a shortfall.

⁸⁷ ACA, C., reg. 41, f. 85v (4 June 1279); ACA, C., reg. 64, f. 130v (28 October 1286); ACA, C., reg. 82, f. 93r (9 January 1291).

⁸⁸ ACA, C., reg. 256, f. 24r (4 February 1298).

⁸⁹ ACA, C., reg. 324, f. 270v (4 March 1297); cf.: ACA, C., reg. 74, f. 68r (8 February 1288); “propter guerram et alias oppressiones factas . . .”: ACA, C., reg. 93, f. 248r (18 August 1292).

⁹⁰ ACA, C., reg. 44, f. 147v (25 July 1279); ACA, C., reg. 324, f. 12v (autumn 1294).

⁹¹ ACA, C., reg. 11, f. 177v (12 June 1260); ACA, C., reg. 76, f. 13v (15 February 1288).

The financial and judicial administration of mudéjar society

communities which fell within the *collecta* each received reductions of 25 to 50 per cent, paying on average 43.5%, and twenty-four of thirty-four Christian or mixed (*hominibus*) collectives received reductions of 5 to 100, paying 68% of their assessment on average.⁹² The survey, comprising a typical year's tax collection, confirms that tax remissions were issued to communities of all faiths, and that Muslims do not seem to have enjoyed a particular advantage in this regard.

Any assessment of the Muslim contribution to the Christian fiscal system is complicated by the fact that the kings did not have a monopoly on taxation; aside from having also to pay the Church, many communities and individuals carried tax obligations to lesser lords (nobles or ecclesiastical corporations). These seigniorial tax jurisdictions did not necessarily correlate to religious community, a disjunction which could contribute further to divisiveness among *mudéjares* and encourage alliances of Muslims and Christians against their respective co-religionists. Even single individuals sometimes fell under more than one tax jurisdiction, given that tenants could simultaneously hold lands from more than one lord or proprietor. This scenario provided further opportunities to evade taxation, particularly for Muslim and Christian subjects of the Military Orders, who frequently claimed a total *franquitas* from royal impositions on the basis of their vassalship to the Temple or Hospital when, in fact, they were liable for the taxes due on the *realencho* lands which they occupied (as the kings periodically reiterated). In sum, because of the Crown's "milla"-type fiscal structure, taxation encouraged sectarian solidarity, but this was offset by the tendency of Muslims and Christian individuals to form associations on the basis of self-interest and specific common objectives without regard to sectarian identity.

ALJAMA INDEBTEDNESS AND LEGAL PERSONALITY

Although the *aljama* was something of an imprecise entity in terms of taxation, there were circumstances in which it acquired a formal corporate character, and when it acted or was acted upon as a legal person or collective. This occurred in a number of contexts, including the legal struggles which *aljamas* undertook relating to tax assessments, matters of civil liability (particularly corporate indebtedness), the administration of community property, and the administration of justice. In matters of credit

⁹² ACA, C., reg. 324, ff. 11r-14v (autumn 1294). The towns included in the levy were Borja, Calatayud, Calatorao, Daroca, Magallón, Malón, Montalbán, Santa Cruz, Tarazona, Teruel, Torrellas, Tresobarres, Uclés, the monastery of Veruela, and all of their dependent hamlets (*aldeas*). In most cases the reason for the reduction is not noted; some remissions may have been granted because a payment or service had been previously rendered.

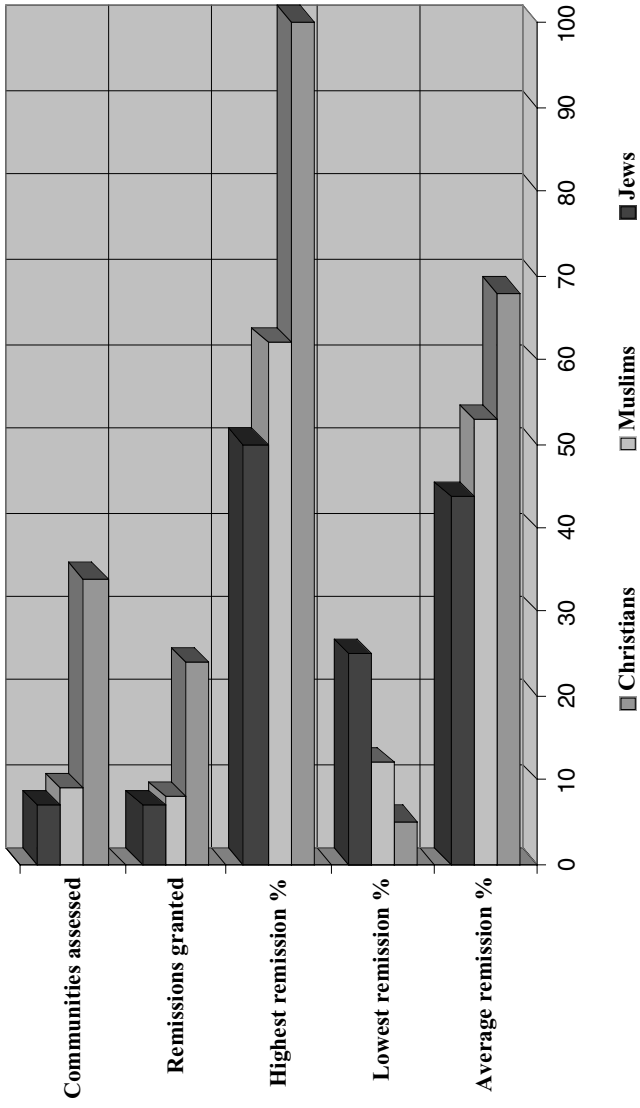


Figure 1: Tax remissions in Petrus de Roda's *Cena collecta* (1294)

The financial and judicial administration of mudéjar society

and debt, the *aljama* acted to obtain debt relief or moratoria, and helped its members to evade creditors. More often than not, the creditor–debtor relation took on a certain ethno–religious aspect, since the overwhelming majority of lenders involved in such cases were Jewish. Although there is no way to gauge the number of requests for moratoria which may have been denied, the considerable number which were granted indicates that Muslims could present an effective lobby for obtaining relief of debts to Jewish lenders.

The aljama as debtor

In conflicts with lenders *aljamas* had a number of resources at their disposal, including forgery of documents (which on at least on occasion was carried out with the collusion of third-party Jews), misrepresentation of documents and custom, and malicious or frivolous litigation, all of which could secure reductions in their liability or at least tie up their creditors (and their funds) in lengthy and expensive legal processes. In such legal battles, Muslims occasionally found themselves in collusion with their Christian neighbours, a solidarity which in its most extreme manifestations took the shape of violence against individual Jews or their communities. When Jewish creditors came from outside the immediate local community, resistance was even more determined, since the lenders in question did not enjoy a broader social or economic relationship with the borrowers which might have encouraged the latter to pursue more conciliatory courses of action.

Creditors with which *aljamas* found themselves in conflict were not, however, exclusively Jewish, and included Muslims and Christians. Nor were Muslims always borrowers; on some occasions they had to defend their rights as creditors against uncooperative debtors. For example, when the nobleman Petrus Jordani de Urrea shirked his debts, Johannes de Funes, Luppus Martini Destornas, and Abraham Despinel, the *sabasala* of ‘Bailarbur’ (Bardallur?) were left holding the bag for the not inconsiderable sum of 1500 *solidi jaquenses*.⁹³ In other cases Muslims were embroiled in the debts of third parties, as happened when creditors tried to possess the goods of a Muslim community or individual whose lord or governing officials owed money. For example, in 1292 the Crown embargoed property of the rebellious noble Artal de Alagón, which was held to include the ninety *solidi* which a certain butcher of Escatrón owed to Luppus del Alami, a Muslim of Sástago. Luppus, who was a vassal of the rebellious lord, was ordered to surrender his copy of the loan contract

⁹³ ACA, C., reg. 89, f. 29r (18 November 1294).

Muslims under Christian rule

after the *infante's* officials had collected for Pere the money which the butcher owed him.⁹⁴ In such cases the kings usually defended *mudéjares* by demanding that a clear link of liability be established between the property in question and the debtor before such action could be taken (unless the king himself had a direct interest in the case). Thus, officials of Tortosa were reprimanded in 1295 for seizing goods belonging to Muslims living on Petrus Martini's lands in order to collect debts owed by Petrus to Geraldus Stephani. Three years earlier a cleric of Zaragoza, acting as the king's agent, tried three times to impound the properties of the Muslims of Almonacid de la Cuba to collect a debt which Guillelmus de Alcalano, lord of Luceni, owed to the Crown.⁹⁵ Each seizure was ordered to be overturned by the king on the grounds that the Muslims in question were not named as principals or guarantors in the contract.⁹⁶ On the other hand, when the *infanzones* of Calatayud became heavily indebted to the influential Jewish Davenabra and Abinaffia families, their Muslim dependants were ordered to make good as *fideiussores* (bondsmen).⁹⁷

The fact that *aljamas* as such appear as creditors and debtors indicates that an impressive degree of corporate identity had developed as a consequence of Muslim integration in the Christian fiscal system; documents differentiate quite clearly between debts contracted by the individual members of the *aljama* and those contracted by the community as a body. In contrast to the examples above, the recalcitrant creditors who twice refused to repay a loan to Berengarius Jenet of Mequinenza were held to include the whole Muslim *aljama* of Sástago (*tota aljama*), although a royal order dated one month earlier stated that liability should be limited to individuals specifically named in the contract (and who included Hilell, the *alaminus*, and his son Ali).⁹⁸ A month later, in a separate case, the Muslim *aljama* of Alfamen was named as the party in a civil suit against three Christians of Calatayud regarding an unspecified sum of money.⁹⁹ In 1300, Nicholaus de Follai of Tarazona took the Muslim *aljama* of Torres de Berrellén to court over monies which he claimed it owed him;

⁹⁴ ACA, C., reg. 87, f. 86v (14 June 1292).

⁹⁵ ACA, C., reg. 100, f. 358r (9 February 1295). In fact, Guillelmus de Alcalano had not been lord of Luceni since 1281, when he exchanged it for Jarque with his kinsman Luppus Ferrench de Luna. See F. de Moxó y Montoliu, *La Casa de Luna (1276–1348). Factor político y lazos de sangre en la ascensión de un linaje aragonés* (Münster: Aschendorffsche Verlagsbuchhandlung, 1990), p. 68.

⁹⁶ ACA, C., reg. 81, f. 150r (20 August 1290); ACA, C., reg. 92, f. 168v (9 July 1292); ACA, C., reg. 108, f. 79v (8 June 1297).

⁹⁷ ACA, C., reg. 46, f. 187v (6 May 1284). Aaron Abinaffia was one of the many important late thirteenth-century Jewish royal officials; hence, perhaps, his success in obtaining royal support. See Romano, *Judíos al servicio de Pedro el Grande de Aragón*, pp. 57–86, 193–200.

⁹⁸ ACA, C., reg. 103, f. 201r–v (4 February 1296); ACA, C., reg. 102, f. 137v (9 January 1296).

⁹⁹ ACA, C., reg. 103, f. 263r–v (7 March 1296).

The financial and judicial administration of mudéjar society

Jaume II ordered the case to be heard by the *alfaquinus* of nearby Tarazona according to Muslim law.¹⁰⁰ In such cases the *aljama* was clearly considered a legal “person” which had the power to contract financial agreements with other parties, and whose goods could be embargoed just like those of individual creditors.

The aljama as a legal corporation

Other circumstances in which *aljamas* appear as parties in civil disputes include sundry cases related to land exchanges and commercial dealings, in civil cases against their own officials (normally for abuses of office), as plaintiffs or defendants in cases of judicial foreclosure on property, and in defence of communal rights such as those to land use, protection of community property, or maintenance of the integrity and jurisdiction of the Islamic judiciary. For example, in 1291 the *aljama* of Alfamen complained that some inhabitants of neighbouring hamlets were impinging on its lands; five years later, it appears as the losing party in a civil suit against several nobles. In another case, in 1293 the *aljama* of Daroca complained that the *baiulus* charged with its supervision was infringing its legal rights, while the following year the *aljama* of Borja lodged a complaint that the Christian officials of that town were usurping the Muslims’ privilege to appear before an Islamic judge.¹⁰¹ Similar complaints were registered in the late 1290s against the *justicia* of Tarazona on more than one occasion.¹⁰² But the legal personality of *aljamas* seems to have been generally limited to civil matters. Muslims were only rarely imputed with collective responsibility in cases of criminal liability, although this did occur in the case of the abduction of Bartholomeus de Archipresbitero in 1293, in which the *aljama* of Calanda was named as a defendant.¹⁰³

As was the case with taxation, however, collective legal responsibility did not operate on strictly religious grounds, nor can it be necessarily held to be a manifestation of a formally constituted community. Collectives were sometimes called into being as the result of specific circumstances. Hence one finds different and overlapping corporate entities operating in the same period in the same locale, as was the case at Illueca where, in the same year, the *aljama Sarracenorum* and the *concilium Christianorum et Sarracenorum* are cited in distinct contexts. It was here also that the council, including Christians and Muslims, took on the Temple over

¹⁰⁰ ACA, C., reg. 117, f. 340v–341r (31 July 1300), cit. BMA, p. 216, doc. 582.

¹⁰¹ ACA, C., reg. 90, f. 160r (14 November 1219); ACA, C., reg. 98, f. 228r (15 July 1293); ACA, C., reg. 89, f. 35v (16 November 1294).

¹⁰² ACA, C., reg. 110, f. 137v (6 May 1298). ¹⁰³ See p. 278.

Muslims under Christian rule

certain rights the order was claiming in the area.¹⁰⁴ Clearly, religious affiliation was not always the deciding factor in group adhesion; Christian and Muslim groups also found themselves jointly liable when they acted together out of specific common interests. In sum, although one of the important roles of the *aljama* was to act as the legal persona of the Muslim community, it was not the only corporate persona in which Muslims might participate, nor was this role exercised exclusively in contexts which reflected a general Muslim solidarity or adversarial orientation towards groups composed of members of other faiths.

Among the more formal manifestations of the *aljama* were its roles as custodian and administrator of community property. Community property in the post-conquest Islamic society of the Ebro seems to have been fairly limited and understandably so, given the theoretical absence of corporate structures in Islamic society.¹⁰⁵ Such as it was, community property included cemeteries, certain agricultural and pasture lands over which the *aljama* had authority, and arguably, the mosques and their dependencies (*waqf* or *hubus*). Unfortunately, the documents do not disclose how these properties were maintained. It is reasonable to assume that traditional methods typical of the Islamic world, such as private endowment or subscription, would have continued to function, and *aljama* officials undoubtedly also took a role in their administration. A complaint leveled by the *aljama* of Daroca against two former officials for financial irregularities in 1292 mentions rights called “mesquitas” – apparently a tax or fee associated with Muslim religious properties.¹⁰⁶ Further, a Navarrese document from the previous century records a local *alcadi* and his brother trading a plot of mosque land with the Hospitallers, indicating that the Muslim official had at least fiduciary title to his community’s religious property.¹⁰⁷ Notably, *aljamias* can be found defending the sacred character of cemeteries in the face of abuse by Christian parties, securing rights to establish new burial grounds and disposing of those which were no longer in use. In 1273, for example, the *aljama* of Huesca negotiated with Jaume I for a new cemetery and was required to relinquish its former burial ground if it could not be established that it had been used in the previous twenty years.¹⁰⁸ Clear examples of agricultural land belonging to or administered by the *aljama* are rarer, although a document of

¹⁰⁴ ACA, C., reg. 89, f. 39r (22 November 1294).

¹⁰⁵ See S. Stern, “The Constitution of the Islamic City,” in *The Islamic City. A Colloquium*, ed. S. M. Stern and A. Hourani (Oxford: Bruno Cassirer, 1970), p. 47.

¹⁰⁶ ACA, C., reg. 94, f. 197v[219v] (22 December 1292).

¹⁰⁷ AHN, OM, pergs., carp. 912, no. 8 (October 1183).

¹⁰⁸ ACA, C., reg. 19, f. 24r (8 July 1273). See also p. 320, below.

The financial and judicial administration of mudéjar society

1292 records an order to the council of Ricla to restore eight acres of land (or its value in cash) belonging to the *aljama* which the *concilium* had unlawfully repossessed and sold.¹⁰⁹ The administration of communal land, like the practice of communal tax assessment, further supports the contention that formal institutional structures developed as an intermediary between Muslims and royal and seigniorial governments. But although *aljamias* were, by definition, sectarian organizations, they did not always behave according to sectarian divisions; when *aljamias* acted to defend common land or water rights, they did so in the same manner as other religiously homogenous or mixed collectives – that is, they fought to maintain the rights of their constituents against competitors regardless of the confessional identity of those rivals.

Many *aljamias* received permission to claim the property of Muslims who died without an heir, which would have included lands, money, and sundry possessions. Inheritance law is one of the important themes in Islamic jurisprudence, and the right of the Islamic community to conserve the property of deceased members was an important one. In 1210 this right was granted to the *aljamias* of Aragon with the provision that they hand over half of such estates to the royal fisc; the *aljama* of Lleida (which was not within Aragon) obtained the same privilege in 1274.¹¹⁰ Despite such ordinances, however, lords and royal officials sometimes claimed title over the estates of intestate Muslim subjects. For example, in 1281 the *aljama* of Zaragoza complained that the *baiulus* Bartholomeus Thomasi was unlawfully seizing such property.¹¹¹ Within the *merinatus* of Zaragoza the net estate (after all debts had been paid) in such cases was to be split by the royal treasury and the *aljama*, but on occasion the king claimed it in entirety.¹¹² Thus, when Acxme of Tarazona died without heirs in 1304 and her goods were ordered to be handed over to the royal court, the local *alfaquinus* conspired with a certain Exmay, who claimed to be her brother and heir. But Jaume II got wind of the affair, and asserting that according to Muslim law Exmay should not have been designated as heir, ordered the local *merinus* and his own official, Azmel de Portella, to confiscate and sell off the property.¹¹³

¹⁰⁹ ACA, C., reg. 92, f. 92r (27 May 1292).

¹¹⁰ Canellas, *Colección diplomática del concejo de Zaragoza*, 1, p. 132, doc. 41; ACA, C., reg. 19, f. 161v (17 August 1274), ed. Mutgé, *L'aljama sarraïna de Lleida*, p. 199, doc. 8.

¹¹¹ *Ibid.*, p. 178, doc. 242.

¹¹² Bofarull, *El registro del Merino de Zaragoza*, p. 6. The *merinus*, a royal or seigniorial official, enforced judicial sentences: *ibid.*, pp. 3–7.

¹¹³ ACA, C., reg. 299, f. 93r (12 March 1304), cit. BMA, p. 299, doc. 823. Strictly speaking, *summa* permitted any Muslim to take charge of a vacant estate, if “the state treasury is not being administered in accordance with the law.” EI^{CD}, s.v. “Mīrāth”.

Muslims under Christian rule

The royal administration also imposed obligations which could not be strictly defined as taxes, such as extraordinary demands for the production of arms or the mobilization of craftsmen. Jaume II, for example, ordered the Muslim smiths (*calderii*) of Huesca to work on a royal project in Santa Eulàlia (a dependency of the nearby abbey of Montearagón) in 1293; four years later he compelled members of the *aljama* of Teruel to carry out construction work for him, but honored the bill which they presented him for these services.¹¹⁴ For their part, Christian craftsmen were also pressed into royal service, as the shipbuilders of Tortosa found in 1294 when they were ordered to proceed to Valencia to construct ten galleys.¹¹⁵ Orders for the mobilization of Muslim craftsmen and workers were addressed at times to a specific *aljama* official, such as the *alaminus*, and at others simply to the *aljama* or *Sarraceni* of the town as whole, in which case we must assume that the responsibility of the muster fell on the *aljama*'s main official. As in the case of communal property, we are left with little indication of how liability was shared among the Muslims in question or how the community was organized in this respect. Midway between taxation and these sundry impositions was the royal right to demand military service, which is discussed in detail below in Chapter Six. Although the surviving surrender documents of the twelfth century generally restrict Muslim duties in this respect, by the late thirteenth century Muslims seem to have acquired this responsibility, except for a few communities which managed to escape it. All in all, the imposition of these varied service obligations indicates that *aljamas* had developed a fairly elaborate corporate structure.

ALJAMA ADMINISTRATIVE STRUCTURE AND OFFICIALS

The administrative structures of Muslim communities come to light through references to specific officials: in promulgations of appointments, acts, and, most tellingly, jurisdictional disputes with their colleagues and with their Christian counterparts and superiors. While the surrender documents enabled Muslim communities to maintain a semblance of the pre-conquest administration, by the late thirteenth century considerable adaptations to the Christian system had been made. Interaction with the conquerors' administrative institutions and with the reorganization of administrative zones according to Christian divisions (*honores*, dioceses,

¹¹⁴ ACA, C., reg. 98, f. 223r (11 July 1293); ACA, C., reg. 264, f. 166r (27 December 1297). For arms requisitions, see pp. 158 and 195.

¹¹⁵ ACA, C., reg. 99, f. 1r (27 February 1294).

The financial and judicial administration of mudéjar society

merinados, *verguerías*, etc.) would have provoked administrative acculturation in the *aljamas*. Thus, they were transformed although there was no deliberate policy to alter Muslim practice. This hypothesis is corroborated by the imprecise nature and the variety of administrative offices encountered among *mudéjar* communities – a reflection of the particularism engendered by organic adaptation to the Christian system.

The diversity of *mudéjar* administration reflects the fact that there was no standard scheme. Generally, major *aljamas* had an official leader, called an *alaminus*, *alcaydus*, *alfaquinus*, or *çauaquem*, who was appointed (or at any rate approved) by the king, his agent, or the local lord.¹¹⁶ Although each of these terms has an obvious Arabic antecedent, under Christian rule these *aljama* officials would not have corresponded in form or function to the *amīn*, *qāḍī* (or *qā'id*), *faqīh*, and *ṣāḥib al-ḥukm* of the *Thaghr*.¹¹⁷ In fact, the terms were used almost interchangeably, referring to the royal representative of the *aljama*, who also served as the local Islamic magistrate. Under Christian rule these and other Muslim offices, such as the *scribania* and the *sabasalania*, ceased to refer to actual persons, but denoted “licenses” to exercise administrative functions. Office holders paid an annual “tribute” for the right to collect the fees generated by these activities. As a result, single individuals frequently monopolized the major posts in a given community; “multiple benefices” were common. This tendency to concentrate power compromised the integrity of Islamic administration and provided opportunities for abuse on the part of unscrupulous officials. Moreover, because only those who had power and influence and who could afford the license fees succeeded into these offices, in many cases it meant that the least suitable candidate from the Islamic viewpoint would have been appointed. Even an entirely religious office, the *sabasalania* (derived from *ṣāḥib al-ṣalāh*, or “prayer leader”) was coopted in this manner.¹¹⁸ Converted from a mosque official under Islam to an *aljama* official under Christendom, the post was secularized and, in at least one case – the “çauaçala” of Sestrica – endowed with administrative responsibilities which were wholly foreign to its original conception.¹¹⁹ Given the profound integration of the religious and the administrative in

¹¹⁶ The term *alamí* derived from the Arabic *al-amīn* (“trustworthy”), a judicial official.

¹¹⁷ *Çauaquem* apparently derives from *ṣāḥib al-ḥukm* (Vidal, II, p. 133, sec. 1: 70.91), although it is not mentioned in Andalusí administrative treatises. *Alfaquinus*, or *alfaquim*, derived from *ḥakam* (“arbitrator”), *ḥakīm* (“sage”), or *faqīh* (“jurist”). The word *alcaydus* had two distinct meanings; one refers to (Christian) castellans and is derived from *al-qā'id* (“military commander”), the other from *al-qāḍī* (“religious judge”), referring to the *mudéjar* judicial official.

¹¹⁸ Jewish synagogue cantors also came under the Crown's control.

¹¹⁹ ACA, C., reg. 97, f. 279r (15 February 1294).

Muslims under Christian rule

Islamic society and the importance of popular recognition to Islamic religious authority, the dynamic of administrative integration which *aljamas* underwent would have had dire consequences for *mudéjares*.

Elements of popular and traditional rule

The authority of judicial or administrative *chargés* who did not enjoy the confidence of their constituents or were not viewed as having a genuine mandate would have been constantly in question. For *aljama* members, officials' legitimacy would have rested on their piety, wisdom, and Islamic learning, rather than the whims of an infidel king. Generally, in institutionally split societies in which the dominant group relies on "regulation," subordinate groups frequently endeavor to regulate internal affairs by bypassing official institutions.¹²⁰ Further, as a members of a "collectivist" Islamic society, which relies on informal mechanisms such as the social pressure of moral consensus to regulate behavior, *mudéjares* may have been especially reluctant to avail themselves of formal, Christian-imposed judicial structures.¹²¹ Thus, when official candidates did not measure up to these criteria, informal judicial structures, without official sanction but enjoying the approval and patronage of the general population, would have arisen.

The documentation, however, affords only suggestions of a parallel, unofficial judiciary. For example, some of the complaints registered by Muslim officials regarding jurisdictional infringement may have been reactions to the activities of popular unofficial *fuqahā'*. Such a conflict may have motivated Alfons II to warn the Muslims of Ricla not to take their disputes to any authority apart from their *alfaquinus*, Jucef filio Faraggii Alfauinii. Although the former office-holder, Çayt del Morho, had been removed at the request of certain *aljama* members who had complained of his unsuitability for office, these sentiments may not have been shared by the whole *aljama*, some of whom seem to have preferred his authority.¹²² Similarly, when Ali of Saviñán was appointed *alfaquinus* of Calatayud by Pere II in 1278 he was not universally accepted by his constituents, who were accused in 1279 of being rebels (*rebeles*) because they were taking their pleas to other, unofficial magistrates.¹²³ A similar

¹²⁰ Smith, "Social and Cultural Pluralism," p. 70. The Byzantine-dominated late-antique Levant offers a parallel. Here the Monophysite Aramaic-speaking natives spurned the Imperial judicial administration by turning to popularly esteemed holy men to resolve civil disputes.

¹²¹ See A. Greif, "Cultural Beliefs and the Organization of Society: A Historical and Theoretical Reflection on Collectivist and Individualist Societies," *Journal of Political Economy* 102 (1994): 936.

¹²² ACA, C., reg. 83, f. 22r-v (7 March 1290).

¹²³ ACA, C., reg. 40, f. 162v (4 October 1278); ACA, C., reg. 41, f. 110r (22 July 1279).

The financial and judicial administration of mudéjar society

disparity between official power and religious prestige of officials can be discerned in the Jewish community of the Crown. For example, in 1315 there was a conflict in Lleida over who would become the synagogue cantor: the widely popular incumbent, Mossé Juniç, or the challenger, Çadia Abnaçaya. One hundred forty-five members favored Mossé while only ten supported Çadia, who nevertheless obtained a nomination from Jaume II because of the power of his family.¹²⁴

The surrender treaties of the twelfth century granted broad rights of self-determination to Muslim communities, which typically included the right to elect officials. For example, the 1149 treaty of Tortosa was addressed to the Muslim community as a whole, and a treaty of 1174 accorded the prominent members (*probi homines*) of the *aljama* a role in government.¹²⁵ In 1207 when Raymundus de Montcada, Lord of Fraga, contracted Aboubaquer filium Ali Abinahole to be the Islamic judge (here, *almedinus*) of Tortosa, he did it “with the assent and will” (“cum assensu et uoluntate”) of the Muslim *aljama* of Tortosa, – a relic, perhaps, of the pre-conquest *bay’a*. For his part, Aboubaquer promised not to challenge the authority of Raymundus [without] the community’s “counsel and knowledge” (“sine consilio et cognitione”).¹²⁶ In 1216 Avinole (“Avinahole”) was confirmed as *alcaydus*, again with the consent of the *aljama*.¹²⁷ Even as late as the outset of the fourteenth century, the *aljama* maintained the right to elect twenty *procuratores* (“representatives”), making Tortosa an exception among Muslim communities regarding the durability of popular rule.¹²⁸

Generally, by the closing decades of the thirteenth century such privileges had been eroded throughout the Ebro region, and the only officials who embodied elements of a tradition of rule by limited consent were the *adelantati*. These were the popular representatives of the *aljama* (normally two or four in number), elected by its members, who acted in a manner roughly analogous to the pre-conquest *umanā’* (sing. *amīn*), the voice of the ‘*amma*. As such, they comprised a direct link between the king and his Muslim subjects. Thus, at Huesca the *çualquem* was specifically prohibited from exercising any influence in the election of the *adelantati*.¹²⁹

¹²⁴ J. Riera i Sans, “Antroponímia masculina dels Jueus de Lleida,” p. 3.

¹²⁵ CODOIN, IV, pp. 130–135, doc. 56; ACA, OM, GP, arm. 4, vol. 3 (115), f. 80r–v (265) (25 June 1174).

¹²⁶ ACA, C., Pedro I, pergs., carp. 62, no. 258 (5 May 1207). Aboubaquer was confirmed in his post (now called *alcaydus*) in 1216 (see below, p. 221, n. 32).

¹²⁷ ACA, C., Jaume I, pergs., carp. 66, no. 43 (1216), ed. Pagarolas i Sabaté, *La comanda del Temple de Tortosa*, pp. 10–11, doc. 4.

¹²⁸ M. García-Arenal and B. Leroy, *Moros y Judíos en Navarra en la baja Edad Media* (Madrid: Hiperon, 1984), p. 69, doc. 1 (1309).

¹²⁹ ACA, C., reg. 289, f. 94v (5 January 1309), cit. BMA, p. 424, doc. 1189.

Muslims under Christian rule

At Zaragoza they were to be elected in the presence of the *merinus*, who would thus guarantee the integrity of the process and whom, as the king's deputy, they would swear to serve loyally.¹³⁰ In late thirteenth-century Lleida, two *adelantati* were to be elected annually, with the consent of the *baiulus*; here they were empowered also with a limited judicial role.¹³¹ At least one important *aljama*, however, lost the right to elect *adelantati* after Alfons II sold that privilege to a Christian noble, in spite of the customary privileges and over the objections of the Muslim inhabitants of Daroca.¹³² Less than a year later he reversed his decision, permitting them to elect both their *alaminus* and *adelantati*, before granting away those rights again in 1291.¹³³ Unlike the holders of other offices, there is no indication that an *adelantatus* ever held other offices concurrently, went on to other administrative posts, or arranged for the succession of a family member in this period. In some Aragonese *aljamas*, these officials administered tax collection (for which they seem to have been held personally liable), but their responsibilities were by no means limited to this.¹³⁴ In Zaragoza the *adelantati* were given responsibility for the delivery of a large order of arms which the *aljama* was to manufacture at the king's request; they also acted as advocates in a case regarding the status of some Muslims which the Friars Minor claimed were their property, and as guarantors for a Muslim imprisoned by the *merinus*.¹³⁵

Christian officials in mudéjar administration

As Christian institutions came to infiltrate *mudéjar* government, Crown officials became progressively more implicated in *aljama* government. This is most obvious in the realm of tax collection, which was almost invariably carried out by Christian or Jewish royal officials who answered directly to the court. But royal officials came to play an intimate role in

¹³⁰ Bofarull, *El registro del Merino de Zaragoza*, p. 6. At Zaragoza, the *merinus* also had the power to appoint his own Muslim officials, including four deputies to collect the tax on market stalls (*alarch*): *ibid.*, p. 6.

¹³¹ Mutgé, *L'aljama sarraina de Lleida*, pp. 210–211, doc. 25. They were allowed to impose fines, two thirds of which would go to the king and one third to the *aljama*, and in exceptional circumstances could prescribe temporary exile for offenders.

¹³² ACA, C., reg. 80, f. 45r (12 September 1289). Alfons II “the Liberal,” was the least scrupulous king regarding Muslims' customary privileges, but his political and fiscal situation was the most precarious.

¹³³ ACA, C., reg. 81, f. 156r (20 August 1290); and below, p. 339.

¹³⁴ For Alfamen, Almonacid, Brea, Calatayud, Daroca, Huesca, Saviñán, and Tarazona, see ACA, C., reg. 90, f. 184b1r (26 November 1291); ACA, C., reg. 85, f. 186r (28 June 1290); ACA, C., reg. 85, ff. 11v–12r (16 April 1291); ACA, C., reg. 83, f. 103r (19 January 1291); ACA, C., reg. 89, f. 81r (17 April 1295).

¹³⁵ ACA, C., reg. 89, f. 172r (27 March 1296); ACA, C., reg. 66, f. 105r (9 June 1286); ACA, C., reg. 92, f. 144v (1 July 1292).

The financial and judicial administration of mudéjar society

justice and administration even in matters relating purely to the internal function of Muslim communities. This trend is most obvious in the Kingdom of Aragon where, by the late thirteenth century, the office of *alcaydus* or *alcaydus Sarracenorum* had come to be held exclusively by Christians, except at Zaragoza. In major Catalan *aljamas*, like Tortosa and Lleida, it continued to be held by Muslims, and the supervising Christian official was the town's *baiulus* or the *baiulus Sarracenorum*. Of course, the Christians who held "official" positions in the realm were not necessarily professional administrators or creatures of the royal court; they were most often nobles who had diverse interests and duties as *señores* and soldiers. Naturally, these personal interests often ran counter to official responsibilities, provoking conflicts of interest and leading *mudéjares* to discover, as did Mexican *indígenas* many centuries later, that when they attempted to "invoke Spanish protective legislation . . . the representatives of the Crown charged with implementation . . . were themselves the encroachers."¹³⁶

The fact that Christians occupied apparently key positions in the Islamic administration has caused consternation among some historians, who have concluded that Christians functioned as Islamic magistrates.¹³⁷ But the fact that such individuals occupied positions of authority which carried judicial authority over *mudéjares* does not necessarily imply that Christians took on the role of the *qādī* themselves, although isolated documents suggest that this may have happened on occasion. Rather, they operated in a supervisory capacity, or as the coercive agent, executing the decisions of the local Islamic judge. A typical example can be seen in Zaragoza in 1283, when the Christian *zalmedina* was ordered to execute a sentence in a civil suit between two Muslim parties which had been handed down by Ascor, the *alcaydus*.¹³⁸ Instances in which Christian officials did act as judges in purely Muslim affairs were for the most part confined to cases where Christian law could claim some jurisdiction or when Islamic courts failed to bring in a verdict to the satisfaction of both parties, as when the *justicia* and *baiulus* of Huesca were ordered to resolve a stabbing in the town's mosque in 1284, or when a Christian judge passed sentence in an appeal between two Muslim parties of Tarazona in 1292.¹³⁹ That being said, one does see a steady stream of reports indicating that these Christian officials frequently attempted to

¹³⁶ H. Konrad, *A Jesuit Hacienda in Colonial Mexico. Santa Lucía, 1576-1767* (Stanford, CA: Stanford University Press, 1980), p. 27.

¹³⁷ See Boswell, *The Royal Treasure*, pp. 77-84. ¹³⁸ ACA, C., reg. 46, f. 75r (12 April 1283).

¹³⁹ ACA, C., reg. 43, f. 96r (9 January 1284); ACA, C., reg. 90, f. 248v (16 January 1292). *Justicias* were judges appointed by royal order from among the *infanzones* of a town, over whom they had jurisdiction. Cf.: *Vidal*, II, p. 132, sec. 1: 70.80.

Muslims under Christian rule

overstep their bounds, usurping Muslim officials' jurisdictions, incomes and other rights, as in 1290 when the *justicia* of Calatayud was reprimanded for forcing the Muslims of Saviñán to submit to his judgment rather than that of the *alfaquinus* of Nigüella, which was their right.¹⁴⁰ Such predatory efforts were undoubtedly motivated by the desire to appropriate the one-third portion of fines which judicial officials were entitled to collect. For example, in 1293 Jaume II reprimanded Johannes Petri de Coruare who, acting as a deputy of Eximinus de Urrea, claimed income belonging to Issa Conxellus, Tarazona's *alguazirus*, as his own.¹⁴¹ Likewise, in the last years of the thirteenth century the *mostassaf* (commercial official) of Huesca persisted in his attempts to extend his market jurisdiction over Muslim traders to the prejudice of the *alcaydus*, in order to collect the latter's *salarium* for approving weights and measures. Despite the king's displeasure he ignored a direct order from Jaume II to desist, and persisted in his abuse for at least eleven months after the initial reprimand.¹⁴²

In circumstances such as these, when the integrity of the Islamic judicial system was threatened from the outside, Muslim communities and their officials reacted strongly, temporarily laying aside their own differences in order to defend what was seen as an assault on a common right, their collective identity being called to the forefront by an explicit threat. For instance, when Mahomat filius Abraham de Roli of Huesca was accused of a murder of which he claimed to be innocent, he preferred to be judged by the notoriously corrupt *çauaquem* of Huesca, Abraham Abengentor, rather than submit to a Christian court.¹⁴³ But Christian officials' efforts to encroach on the rights of their Muslim counterparts should not be assumed to be symptomatic of a colonial dynamic; the competition over official income can be seen among Christian officials as well, as when the *zalmedina* of Huesca attempted to usurp the one-third commission to which the *baiulus* was entitled on the sale of slaves.¹⁴⁴

It was not only in justice and taxation, but in a variety of other contexts, that Christian (and Jewish) officials took a role in *aljama* administration. Apart from the *alcaydus Sarracenorum* and *baiulus Sarracenorum*, many other royal officials were involved in Muslim affairs. Senior officials, such as the *justicia* or *baiulus generalis* of Aragon or the *baiulus generalis* (in Catalonia), as well as *justiciae*, *superiunctarii* and *merini*, found themselves taking an often

¹⁴⁰ ACA, C., reg. 85, f. 196v (15 July 1290). ¹⁴¹ ACA, C., reg. 96, f. 22v (15 September 1293).

¹⁴² ACA, C., reg. 110, f. 143r-v (10 May 1298); ACA, C., reg. 113, f. 151r (27 April 1299). The *mostassaf* was related to the Islamic office of the *muhtasib*; see T. F. Glick, "Muhtasib and Mustasaf: A Case-Study of Institutional Diffusion," *Viator* 2 (1971): 59-81.

¹⁴³ ACA, C., reg. 97, f. 159r (16 September 1293). For Abengentor, see Part Three, Case Study 4, pp. 357ff.

¹⁴⁴ ACA, C., reg. 75, f. 17r (4 July 1287).

The financial and judicial administration of mudéjar society

intimate role in *mudéjar* government either as a consequence of their normal duties, at the behest of the king or of Muslims themselves, or on their own initiative, frequently with the aim of enriching themselves at the expense of their subjects.¹⁴⁵ Negligent or malicious activity on the part of officials took a variety of forms, including dereliction of duty, illegal taxation, and outright violence. For instance, when Muze filio de Abohaz, *alfaquinus* of Ricla, was deposed in 1276 Garcius de Dionisii asked Jaume I to restore him. The king agreed and ordered Muça de Portella, the powerful Jewish minister who as *bainulus* of Aragon had presumably deposed Muze, to do so. Muça resisted, and thirteen months later the king was forced to repeat the order.¹⁴⁶ Some years later, a barrage of complaints by Christians and Muslims led Alfons II to investigate whether or not Samuel b. Manasseh had practiced systematic extortion as an administrator for Jaume I.¹⁴⁷ In another case in 1294, the *justicia* of Ricla refused to return fields confiscated from the Muslim Juçeph Abenafra despite several orders he had received to this effect from Jaume II and the *infant* Pere.¹⁴⁸

Recourse against abusive officials

The count-kings did their best to curb abuses and to maintain the rights of their Muslim subjects, but kingly power had limits and contumacious officials knew that they could often get away with blatantly ignoring royal mandates. But rapacity and disregard for duty was not directed towards Muslims alone: Christians also suffered at the hands of their officials. In any event, as disadvantaged or marginalized as Muslims may have been, they did have a right of appeal to the royal court. *Mudéjares'* rights to respond to the abuses of both Christian and Muslim officials were guaranteed by the principles enshrined in Jaume I's *Vidal mayor*, and communities succeeded on occasion in getting unscrupulous officials reprimanded.¹⁴⁹ Thus, in 1276 Pere II summoned the Muslim *alfaquinus* and *alaminus* of Alfamen to his presence to answer the complaints that the *aljama* of that town had lodged against them.¹⁵⁰ In 1303 the *alcaydus* Petrus de Castielle was suspended from office and subjected to an inquisition on the allegation that his administration had prejudiced the king's Christian and

¹⁴⁵ With the triumph of the *Uniones* over Alfons II and the promulgation of the *Privilegium generale*, the *justicia de Aragón* (the chief magistrate of Zaragoza) became a counterweight against royal authority. The *superiunctarius* was a sub-official of the *justicia de Aragón*; within the kingdom there were four major zones (*superiunctariae*), each of which fell under the competency of one or more *superiunctarii*. See Ubieto Arteta, *Historia de Aragón*, pp. 129ff. and 126.

¹⁴⁶ ACA, C., reg. 41, f. 43v (20 February 1279); ACA, C., reg. 42, f. 231v (25 March 1280).

¹⁴⁷ ACA, C., reg. 66, f. 98r (2 June 1286). ¹⁴⁸ ACA, C., reg. 88, f. 149r (26 December 1293).

¹⁴⁹ Vidal, II, p. 133, sec. 1. 70: 92–93. ¹⁵⁰ ACA, C., reg. 38, f. 93v (3 December 1276).

Muslims under Christian rule

Muslim *homines* of Borja.¹⁵¹ Acting either on their own or in conjunction with Christian neighbors, Muslims succeeded in bringing Christian officials and nobles to book for abuses, such as Ennegus Luppi de Jassa, the *zalmedina* of Huesca (in 1279), the nobleman Arnaldus de Lauri (at Borja, 1287) and Comengerius, Jaume II's lieutenant in Albalate in 1296 (at the behest of the *homines* and *Sarraceni* of the town).¹⁵²

Even at times when officials clearly demonstrated a discriminatory attitude towards Muslims, one cannot assume that they were motivated by sectarian impulses *per se*. For example, when the *baiuli* of Tortosa steadfastly defied Jaume II by prohibiting the Muslim subjects of Petrus Martini from gathering *spartum* in their town's jurisdiction, their refusal was likely prompted either by economic protectionism or as the result of some broader controversy with Petrus.¹⁵³ Third-party Muslims were especially vulnerable to being used as pawns in conflicts between Christian authorities. For example, when the *vicarius* of Tortosa met with resistance while trying to levy *cartelegium* on Templar vassals at Miravet, he took several Muslim subjects hostage in order to put pressure on the order to make their tenants pay, and ignored the king's initial order to free them. A month earlier, other Templar Muslims of Miravet had been kidnapped by Raymundus de Molina, an officer of the Order of Calatrava. These *mudéjares* had not been guilty of any offense; Raymundus had seized them in retaliation for the murder of some subjects of his order at the hands of certain (presumably Christian) Templar vassals of Algars.¹⁵⁴

ISLAMIC AND CHRISTIAN JUSTICE IN THE ALJAMA

The right to Islamic law was seen as essential by Muslims and was one of the privileges granted universally in the surrender documents. The relatively rare appearance of Muslim civil cases in the chancery records suggests that the autonomous judicial system did indeed function well, and that most disputes between Muslims were resolved within the ambit of their community without recourse to the Crown. Instances

¹⁵¹ ACA, C., reg. 128, f. 199r (11 July 1303), cit. BMA, p. 278, doc. 761.

¹⁵² ACA, C., reg. 41, f. 59r (26 April 1279); ACA, C., reg. 70, f. 130v (14 June 1287); ACA, C., reg. 103, f. 205v (7 February 1296).

¹⁵³ ACA, C., reg. 107, f. 168r (10 August 1295 and 30 December 1296).

¹⁵⁴ ACA, C., reg. 108, f. 86r (10 June 1297); ACA, C., reg. 108, f. 132r (16 July 1297); ACA, C., reg. 340, f. 72r-v (21 May 1296); ACA, C., reg. 340, f. 211r-v (17 July 1296). The *vicarius* (Cat. *veguer*) was a judge with civil and criminal jurisdiction appointed on comital (later royal) authority over one of eighteen *veguerías* in Catalonia: see Luis D. de Valdeavallano, *Curso de historia de las instituciones españolas* (Madrid: Revista de Occidente, 1968), p. 515. *Cartelegium* was a seigniorial obligation to provide transport.

The financial and judicial administration of mudéjar society

in which *mudéjares* were judged in Christian courts tend to be limited to disputes with members of other faiths, and appeals. Aside from an eleventh-century private law code of Zaragoza which established absolute priority for Christian judges in interfaith disputes, local *fueros*, *cartas-pueblas*, and surrender agreements agree on the right of a defendant to be judged according to his or her religious affiliation.¹⁵⁵ Later promulgations, notably Jaume I's *Vidal mayor*, certainly upheld this idea. Unabashedly chauvinistic in editorial tone, it nevertheless concedes the right of defendants to be judged by their own law, admitting this to be attested to "by right and reason." But the bigoted editor, Vidal de Canellas, immediately qualified this concession, adding that because of Muslim disloyalty, coupled with the fact that their law had not been granted to them by Christians, it should be the Christian's option as to whether a civil case should be heard by a Muslim or Christian judge:

And although these things may be said according to right and in accord with reason, because of the disloyalty of the Muslims and Jews, and because Christians would not be able to find good advocates among them, given that in them there is nothing but falsity and vanity . . . it is in the hands of the Christians that, if they so desire, they may carry the Muslims or Jews against whom they have a complaint before the Christian judge.¹⁵⁶

In fact, the general principle that the accused party in civil suits had the right to be judged according to the laws of his or her faith was not always observed, and the jurisdiction under which interfaith civil cases came to fall was largely fortuitous: a function not only of local ordinances and privileges, but of the determination of the individual officials involved, the personal influence of the respective parties, and the interests of the king. For example, when two Muslims of Villena, Balaguierus and Ahiel, were accused of defrauding a Christian, P. Tolomar, on the price of some sheep, the case went before a Christian magistrate, and when Benedictus de Urrea lost his suit against Jucef Aloudi, he appealed the sentence of Ali de Castelnou, *alaminus* of the *aljama* of Teruel, and brought it to a Christian judge, Dominicus Rogeri.¹⁵⁷ On the other hand, in 1280 after

¹⁵⁵ See for example, Tudela (1115) in CFCP, pp. 415–7; for Zaragoza: J. M. Ramos y Loscertales, "Compilación privada de derecho aragonés," *Anuario de Historia del Derecho Español* 1 (1924): 400–407.

¹⁵⁶ "Et maguer diga estas cosas segunt regla et semeillen de razón, empero por la deslealtat de los moros et de los iudíos et porque los cristianos non podrían auer bonos aduocados entre eillos, como en eillos no aya si non falsía et uanedat . . . es en mano de los cristianos que, si quisieren, que lieuen el pleito ante l'alcalde cristiano a los moros o a los iudíos de qui han quereilla": *Vidal*, II, p. 183, sec. II: 24.

¹⁵⁷ Tolomar was given thirty days to bring his evidence to court: ACA, C., reg. 86, f. 134v (2 July 1291). For Benedictus de Urrea, see ACA, C., reg. 42, f. 140v (20 September 1289).

Muslims under Christian rule

one Martinus Garcessi appealed a decision which a Christian judge had made in favor of his litigational opponent, Mahomet Ademani, Pere II entrusted the retrial to the Muslim *alcaydus* of Tortosa – to be judged according to Muslim law.¹⁵⁸ Muslims even came before ecclesiastical tribunals, as when Cayd de Alancarino was sued for motives unspecified by the Hospital in 1275. In this instance the defendant did not deign to appear in court or send counsel, and after four summons, he was judged to be in contempt.¹⁵⁹ Jews too sometimes came under ecclesiastical jurisdiction, as when a Christian cathedral canon of Lleida was given jurisdiction over a case which pitted Cahim Azçrell, his wife Dulcima, and their son Dauid against Muça Auimlecha.¹⁶⁰

A corollary of the principle that the law of the defendant was to be observed in civil litigation resulted in Islamic law enjoying superior jurisdiction over Christian and Jewish courts in some case between Muslims and non-Muslims. For instance, Ali de Saviñán's appointment of 1278 specified that any suits which Christians or Jews brought against Muslims within the territorial bounds of the *alfaquinatus* of Calatayud would be heard by him.¹⁶¹ On the other hand, in 1290 the Muslims of Huesca lost any such right when Alfons II awarded the Jews of that town immunity from Muslim jurisdiction "by special grace" ("de gratia speciali"). Henceforth, when Jews brought cases against Muslims, these were to be heard by the Jewish "çaffalaquinus."¹⁶² This represented a local rather than a general trend, for in 1294 Abrafim Aramaso of Sestrica successfully petitioned for his case to be heard by the Muslim official of his own town when he was arrested in Calatayud for debts allegedly owed to the Jew, Abraham Detrabi.¹⁶³ Surprisingly, such laws continued to be upheld even into the fourteenth century. Thus, in 1310 Queen Blanca reprimanded the *justicia* of Huesca for interfering in cases between Christians and Muslims, which belonged by custom and right under the jurisdiction of the *çauaquem*.¹⁶⁴

Criminal and civil justice

On the other hand, in the century following the conquest criminal jurisdiction as a rule came under Christian control, and this represents one

¹⁵⁸ ACA, C., reg. 42, f. 236v (30 March 1280).

¹⁵⁹ AHN, Cod. 650b, no. 404 (4 December 1275).

¹⁶⁰ ACA, C., reg. 111, f. 177v (16 May 1298). The document does not specify the religious identity of these individuals.

¹⁶¹ ACA, C., reg. 40, f. 162v (4 October 1278). ¹⁶² ACA, C., reg. 83, f. 87r (10 October 1290).

¹⁶³ ACA, C., reg. 97, f. 279r (15 February 1294).

¹⁶⁴ ACA, C., reg. 289, f. 144v (13 May 1310), cit.: BMA, p. 451, doc. 1271.

The financial and judicial administration of mudéjar society

of the greatest compromises which Islamic law (which does not differentiate readily between criminal and civil law) was forced to make. Of course, these categories as they were conceived of in the medieval Crown do not correspond precisely to their modern definitions. Criminal acts were those which were considered to have broken the king's peace, and which for which corporal or capital punishment was prescribed. Muslims effectively lost judicial autonomy in criminal cases on the grounds that such acts were to be judged by royally empowered officials. Thus, a late thirteenth-century charter from Lleida explains that Muslim magistrates had jurisdiction to judge, condemn, and punish crimes against the *sunna* or minor criminal infractions (such as assault and slander) which were punished by fine ("civiliter"), but were not authorized to judge criminal acts which called for a penalty of blood ("penam sanguinis").¹⁶⁵ A murder case of the previous year in the same town illustrates the confusion that could arise from dividing the legal system in this manner. When the local *alcaydus* condemned Faragius filius Alcaiadii to three hundred lashes for the murder of Maçot filius Rubei, the condemned man lodged an appeal directly with Jaume II. The king first ordered an inquiry to see whether the punishment prescribed was in accordance with the *sunna*, but eventually gave an outright pardon to Faragius, ignoring the *alcaydus*' objections that according to Islamic law an appeal should not have been allowed in this case. How Faragius obtained the pardon is uncertain, but it was probably as a result of a cash payment to the royal fisc, or of the intervention of some influential third party. In any event, a little over a year later, without acknowledging the previous appeal, Jaume II issued an order for the apprehension of Faragius and two accomplices (one Christian, one Muslim), who had fled the city in the face of accusations that they had killed the same Maçot.¹⁶⁶

The general principle that criminal cases involving Muslims and Christians were to be administered by Christian courts was not applied uniformly across the Crown of Aragon. In the closing decades of the thirteenth century Raymundus de Montcada, Lord of Tortosa, granted the *alcaydus* ("alcait") of the Muslims of the faubourg Remolins the right to hear all inter-Muslim disputes, as well as to try any Christians who perpetrated mischief ("maleficia") in the village.¹⁶⁷ An earlier document indicates that both the Temple and the local noble lord took a role in judging Muslim (and Jewish) misdemeanors committed within the boundaries

¹⁶⁵ Mutgé, *L'aljama sarraïna de Lleida a l'edat mitjana*, pp. 210–211, doc. 25 (1297).

¹⁶⁶ *Ibid.*, pp. 204, doc. 16, 204–205, doc. 17, 205–206, doc. 18, 206, doc. 19, and 208–209, doc. 22.

¹⁶⁷ ACA, OM, GP, pergs., arm. 4, carp. 22, no. 85 (no date). The document must date from before 1294, the year in which Raymundus' codominion over the Tortosa with the Templars (commanded until 1282 by Raymundus' brother, Petrus de Montcada) and the Crown ended.

Muslims under Christian rule

of Tortosa.¹⁶⁸ By this right the Temple commander had ordered the local *zalmedina* to adjudicate inter-Muslim cases, such as that of the unnamed *mudéjar* who struck his wife in the eye, and had ordered the local *baiulus* to imprison Azac Albaney, who had slandered a fellow Jew, Mosse Auinacarc. In the case of Azac Albaney, the *baiulus* R. Guardia (a dependent of Montcada) detained the suspect, but a local noblewoman, “Lady Margalida,” of whom Azac was apparently a subject, would not authorize the arrest, further threatening the commander with dire consequences should any injury befall him. This document reveals that the Temple had the right to receive a fifth, presumably off the top, and two thirds of the balance, of all fines levied within the town’s boundaries, whereas the remaining amount was to go to the *zalmedina*, here a dependant of the noble lord. Hence, in this case, as in many others, disputes over jurisdiction between officials (Muslim or Christian) were in fact contests over the right to collect revenues associated with judicial administration. In another incident noted on the same roll, the Temple claimed that it had the sole right to arrest local Muslims, charging Montcada with having arrested Abdelaziz Crespi and his son without trial or due cause without the assent of the Temple. Apparently, in Tortosa even moral crimes committed by Muslims (*adultari* [sic] and *luxuria*) fell under the jurisdiction of the Temple, although they were to be punished according to Muslim law (“segons çuna de Sarrayns”). Late in the century, as the town came under royal control, the *Costums* of Tortosa limited the broad constitutional rights of the town’s Muslims to Islamic justice to the descendants of Muslims who had lived there at the time of its surrender – a revealing indication of the imprecise nature (both “public” and “private”) of law in the Crown and the enduring force of the surrender pacts.¹⁶⁹

Mudéjares in Christian courts and Christians in Muslim courts

When *mudéjares* did come before Christian tribunals, they enjoyed a status which was somewhat vague, although in principle they were subject to the same basic procedure as other subjects. Thus, in 1283 when Sahit the *Sarracenus* was arrested along with a group of Christians for the murder of

¹⁶⁸ ACA, OM, GP, pergs., arm. 4, carp. 22, no. 81 (no date, probably May 1260–December 1264). The rubric indicates that these cases involved appeals lodged by “R.” de Montcada against the Temple. A document in same series (ACA, OM, GP, pergs., arm. 4, carp. 22, no. 85) names Dalmau de Fonollar as the Commander of Tortosa, which dates the document to the period indicated above: see A. J. Forey, *The Templars in the ‘Conola de Aragón’* (London: Oxford University Press, 1973), p. 442. Mosse appears subsequently in 1275: J. Régné, *History of the Jews in Aragon. Regesta and Documents, 1213–1327* (Jerusalem: Magnes Press, 1978), p. 64, doc. 637.

¹⁶⁹ J. Massip i Fonollosa, *Costums de Tortosa* (Barcelona: Fundació Noguera, 1996), p. 263, sec. 4.26.33.

The financial and judicial administration of mudéjar society

Roderic de Moros, he was ordered to be judged according to the *forum Aragonae* along with the other suspects.¹⁷⁰ Muslims may even have been entitled to the “statute of limitations” of one year and one day which was extended to felonious settlers of “frontier” towns. When Alli filius del Sarrachero, a Muslim of Báguena, was arrested in Daroca for the murder of Ferrand Daranda, he claimed immunity from prosecution on those grounds. The local *justicia* was ordered to determine if his claim to immunity should stand based on the *forum*.¹⁷¹ On the other hand, Muslims could not always count on equitable treatment from Christian court officials. Thus the judicial authorities of Teruel wrote to Jaime II for advice regarding five Christians who had murdered an unnamed free Muslim (*Moro de paz*).¹⁷² The victim’s father alleged that because of his son’s status the murders should be punished as if their victim had been Christian. After hearing depositions and arguments from both sides, the judges, probably anxious to drop this judicial hot potato, asked the king to decide the matter.¹⁷³ Although it is not known how that case was eventually resolved, the law made clear that Christians who killed or mistreated minority subjects were to be prosecuted, as happened with Petrus of Calatayud, who was charged according to the *forum* for the murder of the Jew Abraham fili[us] Açachi Contechuel.¹⁷⁴ It is true that the king, as the lord of all Jews and Muslims, had a particular interest in such cases, but the principle of legal accountability was applied even in cases where abuse by Christians did not result in fatality. In 1295, for example, Petrus de Rigule stole the livestock of Çalema Fierro of Bellestar (near Huesca). When the Muslim took back his property by force, the Christian complained and obtained an order from the *infant* Pere to recover “his” goods, but this was overridden by Jaime II, who ordered Çalema’s rights respected and Petrus prosecuted according to the “çunam” – Islamic “tradition” or law.¹⁷⁵ On the other hand, nobles were sometimes able to use their influence to flout the law, as when

¹⁷⁰ ACA, C., reg. 61, f. 127v (15 May 1283). The *forum* (or *fuero*) encompassed the royal law of the kingdom.

¹⁷¹ ACA, C., reg. 81, f. 28v (6 February 1289).

¹⁷² A “Moro de paz” was a Muslim who lived under the king’s peace: either a *mudéjar* or a foreign Muslim under truce.

¹⁷³ ACA, C., CRD, Jaime II, ca. 135, no. 436 (no date). The *fuero* of Teruel instituted a fine of 400 *aureos alfonsinos* and 300 *solidos* and exile for any Christian inhabitant who killed another: M. Gorosch, ed., *El fuero de Teruel* (Stockholm: Almqvist & Wiksells Boktryckeri, 1950), p. 84, sec. 17. The Muslims of Teruel, however, were subject to Valencian law (see ACA, C., reg. 120, f. 229r–v [29 January 1302], cit. Lourie, “Anatomy of Ambivalence,” p. 47), which prescribed permanent exile plus a 200–*solidi* fine (payable within three months on pain of death by hanging): *Furs de València*, ed. G. Colón and A. Garcia, 8 vols. (Barcelona: Barcino, 1970–1999), VIII, p. 80, sec. IX.XXXV and VIII, pp. 84–86, sec. VIII: XLII.

¹⁷⁴ ACA, C., reg. 42, f. 120v (7 August 1279). ¹⁷⁵ ACA, C., reg. 101, f. 143r (15 June 1295).

Muslims under Christian rule

Raymundus de Molina secured the pardon of two of his followers for the murder of a Muslim in San Esteban de Litera in 1284, including a refund of the twenty *solidi* they had paid as a fine.¹⁷⁶ Paradoxically, minorities benefited at times from their marginal status, because their direct relation with the Crown presented impediments to the application of capital punishment. In Tortosa, for example, Jews and Muslims enjoyed immunity from corporal punishment on these grounds, as did *cavallers* and their families.¹⁷⁷

In civil cases Muslims do not seem to have been disadvantaged by their religious identity, and many instances of Muslim legal victories over Christians are recorded. For example, Juçeph Abenafra of Riclà finally received justice four years after his own *aljama*, acting on behalf of Michael Petri de Candelas and his wife Teresa, seized a field and some valuable cloth from him. When a local official refused to restore the property at the *mudéjar's* request, Juçeph complained to the king, who summoned the Christian couple to the royal court. When the defendants did not appear, the *infant* Pere ordered a judgement *in absentia* in Juçeph's favour to be executed by the *justicia* of Calatayud.¹⁷⁸ Muslims were meant and expected to be treated in accordance with the law and in good faith as fellow subjects. Hence, when a Muslim who had a civil dispute with a Templar subject appealed directly to the Master General, Berengarius de Cardona, the latter wrote to the order's local official, the Commander of Peñíscola, and asked him to resolve the matter "in such a manner that the said Muslim may not be able to say in truth that he has found in us a failure of justice."¹⁷⁹

The kings displayed a keen interest in maintaining the legal rights of Muslim subjects, as an episode from the reign of Jaume II shows. In 1307 the noble Petrus Martini de Luna complained that a Muslim of Almonacid de la Sierra, a vassal of his, had been hung at Épila without a proper trial, in response to which Egidius Tarini, the *merinus* of Zaragoza, was sent to Épila to investigate.¹⁸⁰ When he arrived, the council and officials were

¹⁷⁶ ACA, C., reg. 43, f. 94r (3 January 1284).

¹⁷⁷ Massip, *Costums de Tortosa*, p. 12, sec. I.I.I4 (1279). The clause in question does not appear in the 1272 redaction.

¹⁷⁸ ACA, C., reg. 90, f. 272v (11 January 1292); ACA, C., reg. 89, f. 121v (4 August 1294); ACA, C., reg. 89, f. 153v (20 January 1295).

¹⁷⁹ "al dit Sarray fassatz fer compliment de dret et deraho ental manera quel dit Sarray no pusca dir ab ueritat que el troba en nos de [f]aliment de dret . . .": ACA, C., CRD, Jaume II, ca. 137, no. 83 (dated 14 May, no year given, probably 1299–1306). Berenguerius is attested to as Provincial Master from June 1291 to January 1307 (Forey, *The Templars in the 'Corona de Aragón'*, p. 421), and Arnaldus de Banyuls was commander of Peñíscola from December 1298 to February 1307 (*ibid.*, p. 439), so the letter must date between 1299 and 1306. For the nature of the dispute see p. 253.

¹⁸⁰ ACA, C., reg. 139, f. 301r (5 June 1307), cit. BMA, p. 386, doc. 1076.

The financial and judicial administration of mudéjar society

summoned for two days of hearings, on the conclusion of which the *merinus* departed, returning the following week for two more days of depositions.¹⁸¹ The victim, Jucef de Ocho Huevos, was a potter who was known to suffer from mental illness. On 1 June, he had come to Épila with his wife to sell his wares when, consumed by a fit of madness, he entered the home of Mahomet Barbaça, a local smith, and stole a bedcover. Pursued by a party of the town's Muslims, who feared for his safety, Jucef next rustled an ass, attacking its keeper with a knife. A posse of Christian townsfolk seized the potter, who they determined to execute over the protests of the town's *justicia*, Sancho Xemeneç de Luna, and the local Muslims, who pointed out both his insanity and his right to trial. But the town council would not be moved, and ordered the two municipal *sayones*, Pero Sanç and Domingo Lop, to hang Jucef, which they did. Various municipal officers and Christian and Muslim witnesses gave sworn testimony, after which the inquiry was sealed and sent to the king. The process, the outcome of which is unknown, discloses that, although the king was committed to preserving *mudéjares* legal rights, and although the royal officials and the Muslims themselves were very well aware of these rights, they could not always be guaranteed, particularly in scenarios of emotional intensity.

The mechanism of appeal

Islamic justice as it was practiced among the *mudéjares* could not have been precisely the *sharī'a* of the days of the *Thaghr*; the post-conquest "açunna" (*assuna*, *zuna*, *çuna*) of the Ebro does not correspond to an orthodox system of Muslim jurisprudence, but rather to local Muslim judicial practices heavily influenced by Christian rule.¹⁸² The matter of litigational appeals reveals one of the ways in which the integrity of the *mudéjar* judiciary was most seriously compromised, when parties who had sufficient resources and determination frequently appealed decisions which were not to their satisfaction. Such appeals could be made "horizontally" to another regional Islamic judge, or "vertically" to the royal court. Thus, when Farach fili[us] Don Alcayad was sentenced by the *alcaydus Sarracenorum* of Lleida to be flogged, he appealed directly to the king.¹⁸³ In another case, Fatima de Befalia of Tarazona pursued her son-in-law Jucef Almorahuy (or Almaram) in the civil courts for no less than twelve years, through a dizzying series of judgments, appeals, and

¹⁸¹ See "El ollero loco" in Ledesma, *Vidas mudéjares*, pp. 9–31.

¹⁸² Arabic terms which refer more strictly to Muslim law, like *sharī'a* (which appears as "xara" in the Valencian lexicon), do not appear in the documentation of the Ebro.

¹⁸³ ACA, C., reg. 340, f. 221r (17 July 1296).

counter-appeals.¹⁸⁴ Having first been judged by the *alfaquini* of Saviñán and Brea, the case passed before the *alcaydi* of Zaragoza and Borja before finally winding up in the royal court. The appeal mechanism was certainly a Christian innovation, and although it would have offset the partiality and other shortcomings of Muslim officials to some extent, the fact that Islamic judicial decisions were not final, and could be revised by Christian authorities, seriously undermined *mudéjar* justice as a system.

Occasionally the sentences of local Islamic judges of the Kingdom of Aragon were brought to the *alcaydus* of Zaragoza for confirmation or appeal. For example, when Abdella filius Sayo Datiça had been granted a favourable judgment by the *alfaquinus* of Borja in a civil suit against two brothers, Asmet and Juceff, he took the verdict to Zaragoza for confirmation. Although references such as this imply that in some sense this official enjoyed a rank above the *quḍāh* of smaller towns, the fact that he was essentially a *primus inter pares* should not be obscured.¹⁸⁵ The primacy of the *alcaydus* of Zaragoza over Muslim judges in smaller towns was ambiguous and mostly a matter of prestige. He did not appoint these officials, nor did he direct them; regional appointments were made by the local lord or king, who was the true authority above all Muslim magistrates. Thus, in cases where an authority higher than the local level was called for, the king was not bound to refer the matter to the *alcaydus* of Zaragoza. Rather, he delegated the matter to whichever Christian or Muslim officials he pleased, either based on jurisdictional logic or as an *ad hoc* assignment. For example, when the *alfaquini* of Ricla and Saviñán were disputing the boundaries of their respective jurisdictions, it was the *superiunctarius* of Tarazona – a Christian official – who was ordered to arbitrate.¹⁸⁶ In other cases, the *alfaquinus* of Borja was assigned the appeal in a civil case which had been heard by his counterpart in Saviñán, and the *çauaquem* of Huesca was ordered to preside over an appeal of a decision made by the “alcadi Sarracenorum” of Zaragoza.¹⁸⁷ On the other hand, the *alcaydus* of Zaragoza was sometimes called in when local

¹⁸⁴ ACA, C., reg. 42, f. 172r (21 November 1279); ACA, C., reg. 42, f. 172r (21 November 1279); ACA, C., reg. 48, f. 134r (8 September 1280); ACA, C., reg. 49, f. 56v (30 March 1281); ACA, C., reg. 50, f. 144v (13 August 1281), ed. Canellas, *Colección diplomática del concejo de Zaragoza*, II, p. 177, doc. 240; ACA, C., reg. 61, f. 160v (20 June 1283); ACA, C., reg. 90, f. 248v (16 January 1292). Curiously, the original case had initially been put before two magistrates: see B. A. Catlos, “Ambigüitat jurisdiccional: Els mudèjars i la justícia de la Corona d’Aragó al segle XIII, in T. F. Glick, ed., *Minories musulmanes i la justícia reial en la “Corona d’Aragó”* (Valencia: Universitat de Valencia, forthcoming).

¹⁸⁵ ACA, C., reg. 90, f. 70v (10 October 1291).

¹⁸⁶ ACA, C., reg. 50, f. 242v (25 February 1282).

¹⁸⁷ ACA, C., reg. 49, f. 56v (30 March 1281). The Zaragoza case involved the settlement of a bridal dower (“*azidacus*,” Ar. *al-sidāq*): ACA, C., reg. 129, f. 88r (4 October 1303); cit. BMA, p. 290, doc. 797.

The financial and judicial administration of mudéjar society

Muslim officials were implicated in crimes or civil disputes, as at Huesca in 1285 and at Ricla and Alfamen in 1291.¹⁸⁸ These assignments, however, were arbitrary. In other cases, such as when the *çualquem* of Huesca was involved in a civil suit in 1286, Alfons II gave authority to judge the matter to the *alfaquinus* of Velilla, a nearby hamlet, rather than to the *alcaydus* of the capital.¹⁸⁹ The only administrative hierarchy which had any substance was the Christian one, and it was the king who was at the top. Thus, after the *infant* Alfons had delegated an appeal in a civil case between two *mudéjares* to a Muslim judge in 1283, he reversed his decision, striking down the second appeal. It had emerged that the previous appellate judge in the case had been appointed by (“ex delegatione”) Pere II himself and in principle, an appeal could not be made by a “lower authority” (the *infante*) against the ruling of a “higher” one (the king’s magistrate).¹⁹⁰

In *mudéjar* legal processes decisions rendered by Islamic judges were frequently turned over to Christian officials for implementation, thus splitting judiciary and executive power and further weakening Islamic legal administration. There were many complaints of Christian officials refusing or neglecting to enforce the sentences of Islamic officials, or imprisoning individuals and seizing property before a decision had been made. Such acts did not necessarily result from sectarian antipathy, but as a consequence of the “private” character of Christian administration, which encouraged office-holders to operate public offices as if they were personal enterprises. In fact, the same types of abuses occurred within both *aljamas* and Christian communities.

Further, the immense jurisdictional weight which the Christian system exerted effected certain procedural changes in *mudéjar* justice. Standards of evidence changed, as written evidence and custom acquired a formal role which they did not enjoy in Islamic jurisprudence. In 1260, for instance, Jaume I resolved a conflict between the Muslims of Eslida and the Vall d’Uxó (Valencia) regarding irrigation rights on the basis of charter evidence, whereas the *sharī’a* effectively recognizes only oral depositions.¹⁹¹ Islamic distrust of written communications in judicial process can be seen in Maghribī *fatāwā*, which prohibited the admission of documents (even

¹⁸⁸ ACA, C., reg. 66, f. 98r (5 June 1286); ACA, C., reg. 90, f. 186r (4 December 1291, two references on this folio).

¹⁸⁹ See Part Two, p. 359.

¹⁹⁰ “quare a maiori iudice non appellatur ad minorem”: ACA, C., reg. 61, f. 160v (20 June 1283).

¹⁹¹ ACA, C., reg. 11, f. 185r (19 November 1260). The Valencian water court, apparently based on an Islamic antecedent and held every Thursday at noon outside the cathedral to this day, relies entirely on oral testimony.

Muslims under Christian rule

those written by *quḍāh*) if witnesses to their composition were not present in court at their reading.¹⁹²

Muslims, both as communities and as individuals, adapted exceptionally well to the new judicial conditions, a fact which can be seen in their predilection for litigation and their ingenious use (and abuse) of evidence, procedure, and the opportunities arising out of the overlapping and often ill-defined jurisdictions of Christian and Muslim officials. Consequently *mudéjar* justice was anything but swift and sure. For example, when Çaloman Morenus lost a suit regarding a one-third share of an *orto* to the sacristan of the church of San Pedro in Huesca, the judgment was first ordered to be enforced in 1284. But ten years later Çaloman was still in possession of the property, and in 1297 the local Templar commander intervened on the Muslim's behalf and the original sentence was quashed.¹⁹³

Jurisdictional and administrative diversity

Some *aljamas* do not seem to have had their own officials at all, but fell under the jurisdiction of larger communities in a manner analogous to the relationship between *aldeas* (hamlets) and larger towns in Christian administration. For instance, the *alfaquinatus* of Calatayud included the territory from Ariza to Aranda, and on to Ricla.¹⁹⁴ Similarly, the responsibility of the Islamic magistrate of Huesca included the town itself and the area between the Gállego and Alcanadre rivers, a zone which may have corresponded to the jurisdiction of the *quḍāh* of Islamic Washqa.¹⁹⁵ The relationship between pre- and post-conquest administrative boundaries, however, should not be overstressed; as with their jurisdictional competence, the geographical boundaries of Christian-dominated Islamic offices were determined in part by custom and privilege and the logic of topography, but ultimately fluctuated according to the will of kings.

By virtue of the broad jurisdictional area of town officials, Muslims in smaller and more isolated settlements which may not have been capable of sustaining a judicial or administrative infrastructure were given

¹⁹² Lagardère, *Histoire et société en Occident musulman au moyen âge*, pp. 431, doc. VII: 23 and 436, doc. VII: 51. Actual practice may have involved a greater use of documentation than theoretical writings disclose. See A. al-Tahāwī, *The Function of Documents in Islamic Law: The Chapters on Sales from Tahāwī's Kitāb al-Shurūḥ al-Kabīr*, ed. J. Watkin (Albany: State University of New York Press, 1972), *passim*; cf. Geertz's discussion of *ḥaqq* ("truth") and *shāhid* ("witness") in Islamic law, in *Local Knowledge*, pp. 187–195.

¹⁹³ ACA, C., reg. 43, f. 80v (16 December 1284); ACA, C., reg. 100, f. 123v (2 October 1294); ACA, C., reg. 109, ff. 305v–306r (20 August 1297).

¹⁹⁴ ACA, C., reg. 194, f. 202r–v (6 March 1295).

¹⁹⁵ ACA, C., reg. 88, f. 187v (22 March 1294); cf. Fierro and Marín, "La islamización de las ciudades andaluses," p. 88.

The financial and judicial administration of mudéjar society

access to Islamic institutions and justice, but as a consequence, were governed by officials whose main constituency and priority was the town rather than the hamlet. Such a dynamic led to tensions and conflict, and Muslim and Christian hamlet-dwellers were occasionally driven to resist the forces of larger towns.¹⁹⁶ Hence, on 10 November 1297 the Muslims of Báguena were found successfully defying attempts by the *aljama* of Daroca to include them in the latter's tax jurisdiction.¹⁹⁷ The rationalization of the Daroca community was that the *mudéjares* in question had left that town to settle in Báguena, and hence represented a tax loss which needed to be accounted for. In fact, a *carta-puebla* which established the fiscal autonomy of the Muslims of Báguena had been confirmed only two days earlier.¹⁹⁸

The towns and villages which appear in the documentation were almost all of mixed Christian, Muslim, and Jewish population. On the administrative plane this brought Muslim officials and collectives into contact with their Christian and Jewish counterparts in a variety of contexts, beyond affairs relating to taxation and debt. The structures of Muslim and Christian administration were more or less parallel, and the latter normally included both an appointed head (*justicia* \approx *alcaydus*) and elected officials (*jurati* \approx *adelantati*). Christian administrative collectives, normally referred to as *concilios* or *universitates*, came under the supervision of a variety of royal officials, including the *alcaydus*, *baiulus*, *zalmedina*, *merinus*, and *superiunctarius*, as well as officials appointed on an *ad hoc* basis. Because individuals frequently occupied more than one administrative post either concurrently or in series, the link between the Muslim and Christian governments of a given town might be closer than is immediately apparent. For instance, between 1279 and 1297 Ennegus Luppi de Jassa served in a number of sometimes overlapping functions, including *zalmedina* of Huesca, *merinus* of Huesca and Barbastro, and *baiulus generalis* of the Kingdom of Aragón.¹⁹⁹ His extra-official interests included the salt rights of the Kingdom of Aragón, which he bought in 1280 (in consortium with Martínez de Artesona and Aaron Abinafia, the Jewish royal *baiulus*).²⁰⁰ Likewise, in 1295 and 1296 Raymundus de Molina acted as *superiunctarius* of both Teruel and Zaragoza, and *justicia* of the former, before "retiring" to the Order of

¹⁹⁶ See J. Corral Lafuente, "Aldeas contra villas: señoríos y comunidades en Aragón (siglos XIII–XIV)," in *Señorío y feudalismo en la Península Ibérica* (Zaragoza: Institución "Fernando el Católico," 1993), pp. 487–500.

¹⁹⁷ ACA, C., reg. 115, f. 92r (10 November 1297).

¹⁹⁸ ACA, C., reg. 115, f. 89v (8 November 1297).

¹⁹⁹ See *inter alia* ACA, C., reg. 41, f. 59r (27 April 1279); ACA, C., reg. 82, f. 79v (17 November 1290); and ACA, C., reg. 96, f. 76v–77r (22 October 1293).

²⁰⁰ Romano, *Judíos al servicio de Pedro el Grande de Aragón*, p. 73.

Muslims under Christian rule

Calatrava by 1297.²⁰¹ Such cross-appointments are not always readily evident in the documentation, since in a given citation an official may be referred to by his name (or some part thereof), one or several of his titles, or any combination thereof. But appreciating these links is crucial to interpreting the events on the ground; ostensibly isolated occurrences take on new significance when one discerns the same individual acting as agent or exerting influence in each of them.

Like *aljamas*, Christian *concilia* and *universitates* were somewhat amorphous; indeed, they were often considered to include some or all of the Muslims (and Jews) of the area in question as permanent or temporary members. For example, when the *universitas* of Daroca engineered an accord with Zaragoza regarding the collection of debts owed by its members, no Muslim or Jew appeared in the process, but their membership in the collective was reiterated.²⁰² On the other hand, a privilege of the *universitas* of Ascó dating to the reign to Ramon Berenguer IV and confirmed repeatedly through the fifteenth century underlined the inclusion of Muslims along with Christians in the *universitas*.²⁰³ Their religious identity may have precluded them from full partnership, but partners they were. Indeed, although some statutes demonstrate a formal marginalization of Muslims in cases where administration was shared, often this was not the case, and Muslims even served at times as representatives of mixed councils.²⁰⁴ Thus, depending on circumstances, the structures of community administration might either encourage solidarity along religious lines (e.g. Muslims with Muslims against non-Muslims) or discourage it in favour of other vectors of consolidation (e.g. local Muslims with local Christians against outsiders). In practice, formal relations between Christian and Muslim groups were often far from antagonistic, and Christian collectives faced many of the same problems as Muslim ones in relating to the officials who had authority over them. On the other hand, *aljamas* were not merely Muslim versions of Christian *universitates*; they lacked corporate representation in the *corts* and the power of an estate, and thus were not in a position to defend their interests in the most important political forum of the Crown.²⁰⁵ This fatal vulnerability was indeed a consequence of sectarian-motivated marginalization, passive as it may have been.

²⁰¹ See ACA, C., reg. 101, f. 147v (16 June 1295); ACA, C., reg. 103, ff. 193v–194r (1 February 1296); ACA, C., reg. 102, f. 5v–6r (21 September 1295); and p. 163, n. 157.

²⁰² Canellas, *Colección diplomática del concejo de Zaragoza*, I, p. 173, doc. 70.

²⁰³ AHN, OM, pergs., carp. 636, no. 12 (23 September 1423).

²⁰⁴ For examples see pp. 271–272, below.

²⁰⁵ Boswell, *The Royal Treasure*, pp. 103–106; Meyerson, *The Muslims of Valencia*, p. 101. They did not comprise an estate, but representatives of Muslim communities were nevertheless summoned to the *corts* to render tax accounts (see p. 241).

The financial and judicial administration of mudéjar society

Muslims who adhered to seigniorial jurisdictions rather than, or in addition to, autonomous *aljamas* were affected primarily in terms of taxation rather than judicially; in principle all Muslims remained direct royal subjects. Lords were not permitted to treat their charges as mere chattels or as serfs, and even the fiscal rights which they could expect to exercise were limited. Thus, the magnate Johannes Eximinius de Urrea was ordered by Jaume II to cease aggrieving the Muslims of Aranda with arbitrary *azofras*, and the Templars were repeatedly reprimanded for obliging the Muslims of Miravet to perform or pay for *corvées* (here, *cartelegium*).²⁰⁶ Nor could Garsius Petri de Huesa block a *subpoena* directed at his Muslim vassals who had been called on as witnesses in a royal inquiry.²⁰⁷ The advantages accruing to vassals of the Military Orders and nobility included *franquitas* from most royal taxes, a privilege which was confirmed repeatedly for all subjects of the Temple and Hospital. Association with a Christian Military Order also gave Muslims access to a strong advocate in protecting their individual rights – one that was perhaps more effective than the local *aljama* could be. Muslims who had been granted or had commended themselves to *infanzones* also enjoyed *franquitas*, but they did not enjoy the benefit of the resources of a powerful organization to protect them from *aljamas* or predatory nobles.

Through bonds of vassalship Christian lords were implicated in the legal wranglings of their Muslim subjects. Thus, when the Muslims of Cabañas were disputing their rights to certain lands with their counterparts in Ambel, it was their respective lords, the *infant* Petrus de Ayerbe and the Templar commander of Ambel who found themselves as rivals in court.²⁰⁸ The seigniorial relationship also gave Christian lords a strong interest in maintaining the autonomy of their charges from other local Muslim jurisdictions. In the case of the orders, Muslims were integrated to such a degree that they were sometimes referred to as “*fratres*” when their status was challenged.²⁰⁹ Attribution to these secondary jurisdictions provided *mudéjares* with a counterweight to royal and local officials, and they became very adept at manipulating this situation, taking advantage of administrative grey areas and shifting allegiances, and using the various jurisdictions against each other. On the other hand, the disadvantage of being associated with local lords became clear when Muslims were caught

²⁰⁶ ACA, C., reg. 90, f. 98v (18 October 1291); ACA, C., reg. 108, f. 86r (10 June 1297); ACA, C., reg. 108, f. 132r (2 July 1297).

²⁰⁷ ACA, C., reg. 42, f. 221v (24 February 1280).

²⁰⁸ See e.g. ACA, C., reg. 111, f. 231v (30 May 1298). Pere was an illegitimate son of Jaume I, and had earlier taken the side of the *Uniones* against Alfons II.

²⁰⁹ ACA, C., reg. 49, f. 76r (31 April 1281); see also the Temple's defense of its *frater* and *vassallus* Jucef Galip in Part Three, Case Study 1, pp. 347 ff.

Muslims under Christian rule

in conflicts between Christian parties: towns, nobles, and Military Orders often struck at each other's subjects in order to exact revenge or simply to pillage. Muslims were frequently targeted in such circumstances, although at times they were the agents of such depredations, acting as partners or accessories to their lords.

Royal authority, for its part, generally endeavoured to protect Muslim communities and individuals from abuse, and *mudéjares*, aware of the special security which the kings offered, sometimes commended themselves directly to the protection of the royal circle. This seems to have occurred with some frequency during the 1290s and was not restricted to Muslims. Within a one-month period during the spring of 1294, the *infant* Pere received the infirmary of the church of Santa María la Mayor in Zaragoza, the monastery of Casbas (with its various Christian and Muslim vassals), several Muslim individuals (Morena, her son Acçaynce, and her husband Juçeph, a *sabasala*) and Johannes Luppi, *vicarius* of Molinos, under his protection.²¹⁰ The security derived from such a relationship, however, was limited by two important factors. The first was a certain arbitrariness; although kings tended to respect the grants and privileges of their predecessors (for a price), they were capable of annulling or modifying agreements when they felt that they would benefit. The factor which most seriously and commonly compromised royal power, however, was that it operated through individual officials who frequently ignored or disobeyed orders, either out of neglect and indifference or as a consequence of their own agendas. This left Muslim communities vulnerable to abuse, but they also sometimes used this condition to their own advantage. For example, after receiving an unfavorable decision in a suit with a creditor, Muslims often resisted by simply not complying with the judgment. The case of the Jew Ismael Aluicenc and certain recalcitrant Muslims of Pina was typical, in that Ismael was forced to return to the courts in order to obtain possession of fields which he had been authorized to confiscate from the defendants.²¹¹

Muslim communities were conscious of the value of their loyalty to the Crown, particularly in times of royal vulnerability, and used their bargaining power to obtain confirmations of their privileges at these times. For example, Lourie attributes Pere III's renewal in 1356 of the generous rights obtained by the *mudéjares* of the Jalón and Jiloca valleys from Pere I in 1210 to the former's concerns about the impending war with Castile.²¹² Likewise, the extensive tax exemptions granted to the

²¹⁰ ACA, C., reg. 89, f. 95r (16 May 1295); ACA, C., reg. 89, f. 96r-v (20 May 1295); ACA, C., reg. 89, f. 99v (25 May 1295); ACA, C., reg. 89, f. 114r (1 July 1295).

²¹¹ ACA, C., reg. 46, f. 189v (10 May 1284); ACA, C., reg. 43, f. 57v (16 November 1284).

²¹² Lourie, "An Unknown Charter," p. 121.

The financial and judicial administration of mudéjar society

aljama of Huesca by Pere II were confirmed by subsequent rulers through Pere III.²¹³ The fact that further relief was granted to a population already paying disproportionately low taxes (in comparison, for instance, to Jewish communities) suggests that they were intended to maintain loyalty. On the other hand, because the royal privileges which they received were essentially personal contracts between themselves and the reigning monarch, Muslim communities were careful to renew these grants when each new ruler came to the throne, out of fear that they might be considered invalid by a sovereign who had not in fact pledged to keep them. Thus, shortly after Pere II came to power in 1277, the *aljamas* of Alhamén and Almonacid de la Cuba both renewed the privileges which Jaume I had granted them that same year.²¹⁴

CONCLUSION

In the century following the establishment of Christian domination over the Ebro region, the *aljama* coalesced as the administrative institution of Muslim communities and as an intermediary between *mudéjares* and royal power, but was only one part in a complex and fluid web of administrative authority. Thus, it would be an error to analyze the *mudéjar* experience solely on its own terms, if for no other reason than because not all *mudéjares* were served or represented by such a body. For example, no surviving document refers to an *aljama Sarracenorum* of Barcelona, yet there were certainly free Muslims living in the city and its environs. In addition to traders, visitors, and artisans working on royal projects, there were permanent Muslim residents in and around the city, such as Mahomet el Riuiu de Biueria, a miller in Sant Andreu who died in 1265.²¹⁵ In fact, the Muslims of Barcelona did have some kind of communal tax organization, either of their own or in conjunction with the Jews of the city, given that among the minority communities of the Aragon and Catalonia ordered to render tax accounts in 1284, “the Muslims and the *aljama* of Jews of Barcelona appear.”²¹⁶ There were also undoubtedly smatterings of *mudéjares* living in Catalonia and elsewhere in the Crown to whom we have no references and who, given their paucity, would have been lumped in for tax and administrative purposes with the *homines* or Jews of their town.

Royal power supported and dominated the *aljama*, ensuring the survival of Islamic law, but paradoxically subverting it by presenting a higher,

²¹³ M. B. Basáñez Villaluenga, *La aljama sarracena de Huesca en el siglo XIV* (Barcelona: CSIC, 1989), pp. 122–123.

²¹⁴ ACA, C., reg. 39, f. 234v (4 August 1277). ²¹⁵ ACA, C., reg. 15, f. 1r (20 February 1266).

²¹⁶ ACA, C., reg. 46, f. 216r (3 June 1284).

Muslims under Christian rule

alternative jurisdiction. As occurred with the enmeshing of Christian and Islamic tax systems, the integration of the two judicial systems forced serious adjustments on Muslim institutions. Whereas in the era of Islamic political domination there had been a degree of shared moral consensus between the political and the judicial/religious authorities, under Christian rule this was no longer the case. Whereas before the conquest, a *qāḍī* – a religious/judicial figure – might be led into a political role, it came to be the functionary, the *alfaquinus* or *alaminus*, who now took on a religious/judicial capacity. Islamic authority became particular and local, and community recognition and piety were no longer the decisive factors dictating official appointments. What had been loosely defined charges in Islamic times became official posts, reflecting a concept of administration quite alien to vaguely theocratic Islamic notions. On the other hand, as Muslims were drawn into relationships with seigniorial officials and neighbouring communities, they were implicated in the larger society of the Crown. The transformation from Andalusi or *Thaghri* to *mudéjar* was completed as Muslims' position vis-à-vis Christian society came to define the world in which they lived.

MUSLIMS IN THE ECONOMY OF THE
CHRISTIAN EBRO

The institutional development of the *aljama* exerted a powerful force on local *mudéjar* society, but in the realm of fiscal and judicial administration the lines between Christian and Muslim communities were seldom firmly drawn. In any event, justice and finance are only two of the aspects which contribute to the formation of identity. For instance, people's sense of self is also shaped by the economic activities in which they engage, and the formal and informal social networks which they participate in as a consequence. Thus, in the Ebro Valley the economy was a powerful engine of integration, all the more so because Muslims' range of economic activity was wide. This variety was due in a good part to the fact that the vast majority of these people were "free" subjects with little restriction on their movement or their ability to dispose of goods.¹ Although there were exceptions, no general pattern of loss of such rights can be discerned over the course of the twelfth and thirteenth centuries. Given *mudéjares'* number and civil status, commercial and productive activities would have served to integrate them into the wider society of the Crown both as individuals and as a community. In a manner analogous to the effect which Christian administrative domination had on Muslim institutions, participation in Christian markets drew *mudéjares* into "Occidental" modes of economic interchange. On the other hand, traditional practices persisted as a result of the demographic weight of the Muslims, which acted to perpetuate productive techniques in the face of colonization, off-setting the influence of the Catalano-Aragonese economy and the effects of market shifts provoked by the Conquest.

This dynamic of persistence and transformation can be seen in agriculture, the dominant production sector of the medieval economy. In this field the most dramatic proof of continuity is the evolution of land tenure from the Arabo-Islamic *sharīk* (pl. *ashrāk*) mode into the Latino-Christian *exaricus*, although it can also be seen in the survival of irrigation and animal husbandry practices. Continuity with medieval Islamic society, which is

¹ These two liberties constituted "freedom" in a sense which was meaningful in this era.

Muslims under Christian rule

traditionally characterised as “urban” in contrast to Latin Christendom, is manifest in the practice of crafts and mercantile activities. Largely thanks to the wide availability of credit under Christian rule, Muslims remained a mobile, economically variegated society with a broad range of contact and interaction with Christians and Jews in the Crown.

MUSLIM AGRICULTURE

In all medieval economies, the overwhelming majority of the population practiced agriculture, and in this sphere *mudéjares* are found as holders of their own lands, renters and sharecroppers, or combining these types of land tenure. Some historians have ventured that all Muslims were formally sharecroppers or renters, but this is an assertion which is not borne out by the documentation.² For example, in 1173 Alfons I presented some Christians with the properties formerly belonging to Abincharen in Remolins, just as the Muslim tenant had held it: they received it “freely and uncontestedly, wholly and with all authority to do as [they] wished, from the Abyss up to heaven.”³ In other words, the Muslim in question had been the owner. Although in this era the distinction between tenancy and ownership is not always clear, *mudéjares* seem generally to have enjoyed *dominium utile* (“effective possession”), and there is an abundance of documentation dating from the time of the conquest through the thirteenth century in which Muslims are recorded buying, selling, and exchanging parcels of land (as opposed to tenancies and rights-of-use) among themselves, with Jews, or with Christian individuals and institutions.⁴ Generally, Muslims’ and Jews’ rights as tenants were similar to those of their Christian neighbors. For instance, tenants of any faith were forbidden to sell or mortgage lands they held *sub tributo* without the permission of the land’s *dominus* and the payment of fee.⁵ Hence, *mudéjares* were subject to a special one-third tax on property which they sold to non-Muslims; this was intended to offset a loss of tax income to the royal fisc which might result.⁶ Muslims’ status as “free” tenants is reflected in

² See Burns, “Muslim-Christian Conflict and Contact: Mudéjar Methodology,” pp. 39–40.

³ “libere et quiete potenter et integriter ad faciendas omnes voluntates vestras de abisso usque ad celum . . .”: Virgili, *Diplomatari de la catedral de Tortosa*, p. 308, doc. 245.

⁴ For *dominium utile* see Freedman, *The Origins of Peasant Servitude in Medieval Catalonia*, p. 4.

⁵ See M. Molho, *El fuero de Jaca* (Zaragoza: Instituto de Estudios Pirenaicos, 1964), p. 62, doc. A: 80; *Fueros*, pp. 22 and 43, secs. 32 and 89; and Vidal, II, p. 479, sec. VIII: 20. Sales made without such permission were subject to annulation and confiscation, a right which the Hospital of Zaragoza exercised after a Muslim vassal in Caulor sold land to a Jew of Alagón without authorization: AHN, Cod. 650b, no. 399 (16 August 1340).

⁶ This was essentially a *lluisme* (see p. 251, n. 187) which the king was entitled to by law on Muslim and Jewish property sales: Vidal, II, p. 475, sec. VIII: 14.

Muslims in the economy of the Christian Ebro

their right to alienate properties, as seen in a royal order of 1282 which authorized the Muslims of the “collegio” of Alfamen to sell their lands to pay outstanding taxes.⁷ The purchase of properties by Muslims from Christians is also revealing of the post-conquest economic dynamic. Such exchanges were not uncommon, as the many general ordinances and specific legal suits regarding the tithe liability on such lands demonstrate. Widespread land exchange by *mudéjares* is symptomatic of an economically active society, one whose members had capital to invest in land, and demographic resources to take advantage of the relative numerical debility of the Christian population.

Most interestingly, Muslim individuals and institutions were not infrequently partners with Christians as landholders or tenants, arrangements which occurred from the first years of the conquest through the thirteenth century. In 1139, for example, Orti Navarro bought “a piece of land” (“peça”) which belonged to a Christian, *Don Gonzalbo de Villa Maior*, his wife, *Alez*, and to *Haamet Alborgi*, and his wife *Aziza*, while in 1291, *Petrus Lupi de Cabannis* and *Mahomet Ferratii* together held land from the Hospital of Zaragoza.⁸ The documents do not specify how such co-ownership or partnership arrangements came about, but they may have resulted from joint ventures, or as a consequence of part shares of originally all-Muslim holdings passing into Christian hands by sale or as the result of judicial repossession or confiscation. However they arose, mixed tenancies and proprietorships would have integrated Muslims further into Christian administrative practices and encouraged a certain solidarity between partners of different faiths, at least in so far as they would respond to threats to their mutual interests.

Sharīk and exaricus: A case of institutional diffusion

Sharecropping was a particularly popular set up in the post-conquest Ebro, undoubtedly because of its attractiveness both to Muslims and Christians. *Mudéjares*, for their part, may have preferred to sharecrop rather than purchase lands from Christians because they would have been required to pay both *aljama* taxes and tithes on such properties. For land-owning ecclesiastical organisations, sharecropping presented an alternative to selling land, which faced legal impediments (*mainmorte*) associated with donated properties. Individual lay landowners frequently used Muslim sharecroppers (*exarici*) as a means of evading their own canonical taxes, as the Bishop of Tarragona complained in 1172. According to the bishop, exchanges and

⁷ ACA, C., reg. 60, f. 88r (22 March 1282).

⁸ AHN, Cod. 595b, no. 187 (1139); ACA, C., reg. 90, f. 103r (19 October 1291).

leases of lands between Muslims and Christians for this motive were commonplace, and when nobles, knights, and burghers contracted *exarici* to work their estates, neither the Christian owners nor the Muslim labourers contributed tithes.⁹

So ubiquitous were Muslim sharecroppers that some modern historians have followed the lead of the contemporary Dominican inquisitor and philologist Ramon Martí, who erred in defining the word as a synonym for 'Muslim tenant,' while others have mistakenly seen it as a legal category or social class.¹⁰ Hinojosa, for example, imagined *exarici* to have comprised one of two "social classes" of "bonded slaves."¹¹ Ledesma describes *exarici* and vassals as two "categories" of Muslims, but her distinction is based on a modal fallacy: the fact that a Muslim can be described as an "exaricus" does not mean that "exaricus" describes a type of Muslim.¹² Gautier and Dufourcq commit the same error when they classify *exarici* as one of three social groups ("groupes sociaux") of the rural Muslim population.¹³ Burns attempts, unnecessarily, to reconcile this position with the reality of *mudéjar* land-ownership by venturing that *exarici* were *de facto* owners whose rents were analogous to taxes, but fails to realize that not all Muslims were in fact *exarici*.¹⁴ *Exarici* were tenants who paid their rent as a portion of the crop, while the titular owner of the land was liable for whatever royal or ecclesiastical burdens the land carried. Such dues did not necessarily bear any relation to the contract negotiated with the sharecropper, who was in turn liable for other taxes not associated with that land. *Exaricus* was a type of land tenure which evolved out of the Islamic institution of *shirka* and was transformed through the Christian conquest, thriving in its new form because it met the needs of both the victors and the vanquished.

Like *shirka* arrangements, *exaricus* relationships were based on a written agreement which explicitly stated the rights of both landowner and

⁹ AHN, Clero, Cod. 3951, no. 1 (10 August 1172). He made the same allegations regarding Muslims who purchased Christian land.

¹⁰ Burns, "Muslim-Christian Conflict and Contact: Mudéjar Methodology," p. 50, citing the *Vocabulista in arabico* of Ramon Martí (d. c. 1286) (Florence, 1871), s.v. *Exaricus*.

¹¹ "dos clases de siervos adscripticios . . . clases sociales en Navarra y Aragón . . .": E. Hinojosa, "Mezquinos y exáricos, datos para la historia de la servidumbre en Navarra y Aragón," in *Homenaje a Don Francisco Codera en su jubilación del profesorado. Estudios de erudiición oriental*, ed. E. Saavedra (Zaragoza: Mariano Escar, 1904), p. 523.

¹² M. L. Ledesma Rubio, "La población mudéjar en la Vega baja del Jalón," in *Miscelánea ofrecida al Ilmo. Sr. D. José María Lacarra y de Míquel* (Zaragoza: Librería General, 1968), 342.

¹³ C.-E. Dufourcq and J. Gautier Dalché, *Histoire économique et sociale de l'Espagne chrétienne au moyen âge* (Paris: Armand Colin, 1976), p. 100.

¹⁴ Burns, "Muslim-Christian Conflict and Contact: Mudéjar Methodology," p. 25; citing Boswell, *The Royal Treasure*, pp. 41-42, and paraphrased in R. I. Burns, *Medieval Colonialism: Postcrusade Exploitation of Islamic Valencia* (Princeton, NJ: Princeton University Press, 1975), p. 112. Cf. the editor's note: "Non ergo omnes sarraceni erant *exarici*," in *España sagrada*, L, p. 428, n. 4.

Muslims in the economy of the Christian Ebro

sharecropper; they were reciprocal and sometimes involved additional duties to which the *exaricus* was bound.¹⁵ For example, in 1207 Mahomet de Rex and his son Abceyd made themselves *exarici* of the Hospital in order to work land which had been farmed previously by another *exaricus*. In a public ceremony before the “good Christian and Muslim men of Ricla” they agreed to observe the customary terms of Aragonese Muslim tenants, promising some limited hospitality and *corvée* as well as a share of the harvest. Finally, they agreed on a penalty for annulment of the contract, which indicates that they did not become “bound” or “servile” as a consequence.¹⁶ Like *shirka* covenants, *exarici* contracts frequently had time limits; for example, an *alaminus*, Mahomet, took a field from the Templars in 1271 for a five-year term, paying one quarter of his produce (“ad quarto”).¹⁷ As any tenancy, the agreements were not automatically heritable, although in some contracts inheritance was explicitly expressed, undoubtedly to the tenant’s advantage. Thus, in 1243 Calema Auolac received his own contract for the lands which his father had farmed for the Hospital in Caulor, and Mariem, a “xarricha” of the Hospital, received a confirmation of the agreement of 1204 which had granted her a vineyard for life and *in perpetuum* to all of her heirs in exchange for one fifth of the produce.¹⁸ The proportion of crops which *exarici* were required to turn over varies considerably, ranging from one tenth to three fifths, although most agreements stipulated the landowner’s share as between a half and one fifth.¹⁹ Each case was the product of a unique negotiation, depending on factors such as whether the land was irrigated and the share of tools, draught animals, seed and other materials which each party would provide. Equally important, however, were the conditions of the labor market, which frequently favored the Muslims, and the two parties’ relative financial positions and bargaining acumen.

Once committed to the relationship, the *exaricus* was recognized as having a legal interest in the land (for the agreement’s duration), and for this reason he or she was often named explicitly as a party in exchanges or sales. Thus, in 1168 the *exaricus* Maomath filiio Talla Codas

¹⁵ E.g. Á. Canellas López, ed., *Los cartularios de San Salvador de Zaragoza*, 4 vols. (Zaragoza: Ibercaja, 1990), I, pp. 45–48, doc. 79.

¹⁶ “in presentia bonorum hominum Ricla cristianis et sarracenis . . .”: Á. Canellas López, “Colección diplomática de la Almunia de Doña Godina (1176–1395),” *Cuadernos de Jerónimo Zurita* 12/13 (1961): 225–226, doc. 22.

¹⁷ AHN, Cod. 651b, no. 156 (5 September 1271).

¹⁸ AHN, Cod. 650b, no. 397 (November 1244); AHN, Cod. 650b, no. 489 (September 1205).

¹⁹ The *exaricus*’ share varied between one tenth (Tudela, 1119 and Tortosa, 1148: Burns, *Medieval Colonialism*), one fifth (Caulor, 1244: AHN, Cod. 650b, no. 395 and no. 397), one quarter (see above, n. 17), two fifths (Tortosa, 1173–1193: Virgili, *Diplomatari de la catedral de Tortosa (1062–1193)*, pp. 301–302, doc. 238), and two thirds (Tortosa, 1173–1188: *ibid.*, pp. 299–300, doc. 237).

appeared alongside the siblings María and García when they exchanged with *Don* Gillius de Bilas the land on which Maomath worked. Likewise, when Faraig Alhazin and his brothers sold some lands to the monastery of Veruela, his unnamed *exaricus* appeared as a party in the contract.²⁰ In 1219, conscious of the need to protect his legal rights, Mahomat Abyron, *exaricus* of the prior and chapter of Tudela, commissioned (or was given) a translated copy of the Latin charter which recorded his land being transferred to Eximinus Gonçamoz.²¹ In such agreements the tenants enjoyed full contractual rights, as reflected in the case of Mahomat Abnalfara and his sister Axa, whose *exaricus* tenancy continued even after the death of the landowner (in this case Ramon Berenguer), the heirs of whom were obliged to include the *exarici* in the deed of sale.²² In an earlier case, Johannes Pere received lands in Tudela from Alfonso I, but could not take full possession of the land until the tenant died, up to which time he could only collect one fifth of the harvest.²³ Occasionally the language of donations stated the *sharīk*'s rights explicitly, when landowners promised to safeguard their privileges. For example, when the church of Santa María in Tortosa received a grant of some lands in Xerta, the property was said to "pertain to Our *exaricus* Machomet Alfandech" – an admission of some sense of proprietorship on the part of the Muslim.²⁴ A later *exaricus* agreement made by the same church promises to defend and maintain the Muslim, Avinole, and his descendants "for all time" ("per secula cuncta").²⁵ An agreement (*conuenyança*) of "exaricança" between the monastery of Veruela and several male and female *exarici* of the abbot and convent concedes the right of the tenants to sell the properties which they worked in Magallón, in which case they would split the sale price with the abbey (for fields and vineyards) or keep four fifths of the price (for water-sharing rights). The agreement was to be binding forever ("por siempre").²⁶ The rights granted to the *exarici* in this document are exceptionally broad, and it may be the case that this exchange is in fact a disguised sale. On the other hand, the local agricultural labor market may have determined that these *mudéjares*

²⁰ Rubio, *Los documentos del Pilar*, p. 93, doc. 117; Ferrandis, "Rendición del castillo de Chivert a los Templarios," pp. 457–458, doc. 17.

²¹ ACTu, Leg., 2, no. 12 (September 1219); cit. P. F. Fuentes, *Catálogo de los archivos eclesiásticos de Tudela* (Tudela: Oroz y Martínez, 1944), p. 54, doc. 195.

²² Lacarra, *Documentos para el estudio de la reconquista y repoblación del valle del Ebro*, II, p. 72, doc. 394 (1161, Tudela).

²³ Lema, *Colección diplomática de Alfonso I de Aragón y Pamplona*, pp. 352–353, doc. 238.

²⁴ "est nostro exarich Machometo Alfandech . . .": Virgili, *Diplomatari de la catedral de Tortosa*, pp. 324–325, doc. 260.

²⁵ *Ibid.*, pp. 301–302, doc. 238.

²⁶ Teixeira, "El dominio del monasterio de Veruela," pp. 480–486, doc. 26.

Muslims in the economy of the Christian Ebro

could negotiate such extremely favorable conditions of tenure – indeed, they were only obliged to render one third of their crops to the monastery.

Rare references which suggest that *exarici* were servile were not a corollary of the *exaricus* tenancy, but rather a consequence of the status of the Muslim in question, who may have been a slave. For example, when Alfonso I granted the *exaricus* Zalama Abinferuc to one Faulorichero in 1134, he gave him the *exaricus* himself, rather than the land he occupied, to have him “free and clear,” and to sell or dispose of at his discretion (“francum et liberum et ingenuum per dare et per uendere”).²⁷ Overwhelming evidence suggests that *exarici* were judicially free, bound only by whatever contract they had signed. This becomes particularly clear when individual Muslims engaged simultaneously in a number of tenancies or activities, only some of which were *exarici* agreements. In 1168, for example, Juçef de Farag, an *exaricus* of the Abbot of Veruela, sold the latter some of his personal properties, which bore no relation to their tenancy contract.²⁸ Orders such as Alfons II’s confirmation that the *exarici* of the Temple at Ricla were not liable for *aljama* taxes except on their *realencho* lands are common through the late thirteenth century, indicating that diversity of tenancy was common.²⁹ In a curious case of 1193, Petrus Sancii and his brother Ferrand donated “Auinadina,” their Muslim in Conchiellos, along with all of his descendants and property, as *servi* and vassals to the monastery of Veruela; yet a subsequent document of the same year shows Petrus taking a loan from the monks based on the income of his “*exarich*” in Conchiellos, named “Abenhadida.” If, as it seems, both documents refer to the same *mudéjar*, Abenhadida’s status as “*exarich*” was seen as completely separate from that of his status as *servus* and *vassallus*, as stated in the first charter.³⁰ In another case, in 1146 a certain Jordana sold lands to Veruela which pertained to “her *exaricus*” (*de meo assarich*), the *sabasala* of Magallón and of Mazalcorag. The monastery’s rights to the lands are spelled out explicitly, but it has no authority over the tenant, a local *mudéjar* official who not only moonlighted as an *exaricus* but managed his own considerable properties.³¹

Generally, the documents draw a fairly clear distinction between *exarici* and other types of tenants such as renters or tributaries, who are referred to as *vassalli* or simply *Sarraceni*. Thus, when Ebraym Abeatur, a Muslim

²⁷ Lacarra, *Documentos para el estudio de la reconquista y repoblación del valle del Ebro*, I, p. 234, doc. 231.

²⁸ Teixeira, “El dominio del monasterio de Veruela,” p. 433, doc. 4 (1168).

²⁹ ACA, C., reg. 70, f. 142v (26 June 1287).

³⁰ AHN, Cod. 995b, ff. 71v–72r (1193) and 72r (1193).

³¹ Vispe, “La fundación del monasterio cisterciense de Veruela,” pp. 364–365, docs. 94, 95, and 96 (1146–1175).

subject of the Hospital of Cadrete, died intestate, the Order took his goods (as was their right in such cases) and granted them to Ebraym de Beate, the grandson of the deceased, “en uasallo.” The term *exaricus* does not appear in the lengthy document, in which Ebraym agreed to observe the same conditions as the rest of the Muslim Hospitaller vassals at Cadrete.³² More than half a century earlier, the same order had given three fields in Cabañas to the brothers Pardo and Mahomet in an arrangement which was strictly rent-based or tributary (two and a half *kafizes* each of wheat and barley per year); thus, the two are not referred to as *exarici*.³³ The distinction between *exarici* and vassals is explicit in a 1291 document, in which the *aljama* of Tarazona’s right to levy land taxes on “all Muslims, both *exarici* and others who claim to be of *infanzones*” was confirmed.³⁴ The nature of *exarici* agreements as temporary business arrangements rather than indicators of judicial status is reflected in the *Vidal mayor*, which refers to participants in other, non-agricultural arrangements as *exarici*, including Christians who act as shepherds-for-hire for Muslim, Jewish, or Christian animal owners.³⁵

As in the pre-conquest period, Muslim landowners, such as Homar Annascon in 1179, or Farag Alhazin and his brothers, who held land near Tarazona in the 1190s, also engaged Muslim *exarici*.³⁶ When Jahic Aben Abenbacoza of Alagón sold his vineyard to Petrus Tissaner, the right of his *exaricus* Aben Aizahad to remain on the land was written into the contract.³⁷ Christians also entered *exaricus*-type tenancies, sometimes with Muslim landowners; but normally they were not designated by the same term. For instance, in twelfth-century Abrisén Christians and Muslims held land from the Cathedral of Huesca under more or less identical sharecropping conditions, but only *mudéjares* were referred to as *exarici*.³⁸ In 1261, when their Muslim tenants were unavailable to harvest their lands, the Hospital of Zaragoza entered a one-to-three sharecropping agreement with Egidius Tarini, under the same terms as their *mudéjar* tenants had enjoyed. Egidius, who was the *baiulus* of Zaragoza, would

³² AHN, Cod. 651b, no. 235 (8 September 1320).

³³ AHN, Cod. 650b, no. 566 (March 1249). The *kafiz* is a dry-measure of twenty-four bushels (see J. M. Alcover, *Dicionari català-valencià-balear*, 10 vols., Palma de Mallorca: Moll, 1930–1969, s.v. *cafis*), derived from the Arabic *qafiz*, which equals 496–640 litres (H. Wehr, *A Dictionary of Modern Arabic*, Beirut: Librairie du Liban, 1974, s.v. *qafaza*).

³⁴ “omnes Sarraceni tam exariqui quam alii qui dicerent se esse de infanzones [sic] . . .”: ACA, C., reg. 192, f. 6r (9 November 1291).

³⁵ *Vidal*, II, p. 475, sec. VIII: 15.

³⁶ *España sagrada*, I, p. 428, doc. 38; Teixeira, “El dominio del monasterio de Veruela,” pp. 457–458, doc. 17 (1199).

³⁷ Canellas, *Los cartularios de San Salvador de Zaragoza*, I, pp. 69–70, doc. 124.

³⁸ Durán, *Colección diplomática de la catedral de Huesca*, II, pp. 538–541, doc. 566 (twelfth century).

Muslims in the economy of the Christian Ebro

have sub-contracted wage-workers or *exarici* of his own to do the actual labor.³⁹

One of the main advantages of *exaricus* tenancy was in fact an innovation of Christian origin, namely the limited *franquitas* which tenants enjoyed when farming land belonging to tax-exempt owners. In 1298, for example, Jucef of Huesa received a confirmation of the charter giving his family the total tax immunity which his grandfather, the *exaricus* Ali, had received from Jaime I.⁴⁰ But such blanket immunities were exceptional, given that in principle exemptions were only applied to certain definite taxes relating to production and not to poll-taxes or community levies. Predictably, many *exarici* tried to convert their limited immunity by hook or by crook into a general personal *franquitas*. Frequently they were aided by their Christian landlords, as when the Temple of Ricla lobbied for complete tax immunity for its *exarici* in Alfamen.⁴¹ Such attempts led to interminable legal battles between *aljamas* and *exarici*, who found effective advocates and protectors in the powerful Christian individuals and institutions who usually employed them.

A particularly interesting Arabic-language document of the Cathedral of Zaragoza details an arrangement made between Yūsuf ibn ‘Alūf and his Christian *sharīk* “Ghilaym da Narbūnah” (Guillaume de Narbonne), for the exploitation of a field in Somontano for a period of six years – an agreement made according to Islamic custom (سنة المسلمين).⁴² Another document, a land exchange between members of two Muslim families and the Prior of Santa María (Zaragoza), reveals an “intermediate form” in the evolution of the pre-conquest institution of *shirka* to the post-conquest *exaricus*. Here, the Muslim party agrees to become *ashrāk* (اشراك) on the abbey’s land in Cascajo, receiving one half of the produce which they would grow, also according to “sunnat al-muslimīn” (سنة المسلمين) – Islamic legal tradition.⁴³ Unlike the standard Islamic *sharīk* agreement, no time limit is placed on the contract. It is unlikely that this single property would have provided the sole sustenance for the group, confirming that entering such a contract did not prohibit a Muslim from having other properties and agreements. Continuity between pre- and post-conquest forms is also suggested by a grant made in 1143 by García Ramírez of Navarre to Gunzalbo de Azacra. The grant concerned lands

³⁹ M. L. Ledesma Rubio, *La encomienda de Zaragoza de la Orden de San Juan de Jerusalén en los siglos XII y XIII* (Zaragoza, 1967), p. 346, doc. 172 (1261); ACA, C., reg. 70, f. 129v (3 June 1287).

⁴⁰ ACA, C., reg. 196, ff. 183v–184v (6 July 1298).

⁴¹ ACA, C., reg. 90, f. 184bisr (26 November 1291).

⁴² García de Linares, “Escrituras árabes pertenecientes al archivo de Ntra. Sra. del Pilar de Zaragoza,” 184, doc. 9. *Sharīk* means “associate” in Arabic, and can refer to either party (ibid., pp. 182–184, doc. 8); in Latin charters “exaricus” refers to the labourer, here “Ghilaym.”

⁴³ Ibid., p. 183, doc. 8 (1181).

Muslims under Christian rule

in Murgen (near Tudela) which had been held by a certain Abalfaxim, and were intended to be worked by “your *exaricus* of Monteagudo and [. . .] your *exaricus* of Tulobras,” who were also granted to Gunzalbo at this time. Although it is not certain that they had been *exarici* of Abalfaxim, it seems probable, meaning that these individuals were converted from *ashrāk* to *exarici*. Symptomatic of the transformation of sharecropping under Christian rule, the Latin charter does not refer Islamic tradition or specify a time-limit.⁴⁴ Finally, the case of Mahomet Garri presents a more explicit evolutionary link. When his tenancy in Fontellas was donated by Rogerius de Bessim to the Church of Santa María of Tudela some time before 1151, the charter noted that Mohamet’s father had held the same land when he was an “Asariche” of the “Zabazala” of Fontellas. Given that the town had been conquered in 1115, Mahomet’s father had probably been a *sharīk* of the town’s pre-conquest *sāhib al-ṣalāh*.⁴⁵ Indeed, legislation promulgated by Alfonso I at Tudela in the year of its conquest clearly refers to Muslim sharecroppers (*ashrāk*) of Muslim landlords at the moment of the conquest as *exarici* (*xariko*), when he established the legislated the owners’ share in such contracts to be one fifth.⁴⁶

The development of *exaricus* landholding in the Crown of Aragon was a case of institutional diffusion, the continuity of which is patently clear. As a mechanism of integration, *sharīk/exaricus* tenancy brought Muslims and Christians into arrangements where their interests clearly coincided. Although Christians initially adopted an Islamic arrangement (*shirka*), the transformation of this type of tenancy to its modified form (*exaricus*) drew Muslims into Christian administrative and productive spheres. On the other hand, *exaricus* tenancy also contributed to the weakening of *mudéjar* consensus, particularly because of the issue of *franquitas*, which tended to divide their communities. Over time, long-standing *exaricus* agreements might have taken on the outward form of standard rent relationships, given that once the normal yield of a plot was known, a proportion of it could be expressed in terms of and commuted to a fixed quantity. Hence, by the late 1200s the dues of certain royal *exarici* of Zaragoza were expressed as a standard quantity in cash and kind.⁴⁷ Through the thirteenth century the term *exaricus* came to be applied to a variety of arrangements; this, coupled with its popularity among *mudéjar* farmers, would have led to its popular use as a synonym for “Muslim tenant.”

⁴⁴ ACTu, ca. 33, leg. 21, no. 1 (1143); cit. Fuentes, *Catálogo de los archivos eclesiásticos de Tudela*, p. 6, doc. 17.

⁴⁵ Fernández y González, *Estado social y político de los mudéjares de Castilla*, p. 301, doc. 6 (dated before 1151 by witness).

⁴⁶ CFCP, p. 417. ⁴⁷ Bofarull, *El registro del Merino de Zaragoza*, p. 16.

Muslims in the economy of the Christian Ebro

Irrigation practices after the conquest

Irrigation systems typically survived the transition from Muslim to Christian domination in the lands of the Ebro, and undoubtedly provided another source of interethnic cohesion and continuity for Islamic society here. Guichard, Barceló, and Glick have argued convincingly that the character of Muslim irrigation systems in Valencia and the Andalusi Levant was consistent with agnatic, tribal social structures, and that the maintenance of these systems under Christian rule implies the persistence of traditional social structures among remaining Muslim inhabitants. Unfortunately, the documentation contains little more than oblique or passing references to such survivals in the region of the Ebro, and comparatively little historical or archeological work has been done on the irrigation systems of the watershed.⁴⁸ The most compelling evidence for such continuity has been found in the irrigation works near modern Almonacid de la Cuba and along the Aguasvivas River, a tributary of the Ebro. Still standing today, the dam at Almonacid was originally a Roman construction, but underwent its greatest period of development during the Islamic era when subsidiary irrigation complexes were constructed for adjacent settlements. Naturally these developed according to the segmentary social structure of the Berbers who had settled in the region, but with the Christian conquest and settlement, they continued to be managed as they had been *in tempore Sarracenorum*.⁴⁹ The documentation of the monastery of Veruela (whose holdings included hamlets in the Aranda and Isuela valleys) also strongly supports the survival of Muslim landholding and irrigation. Scores of receipts of land exchanges and sales dating from the decades immediately after the conquest confirm that Muslim agricultural structures remained intact and that they were gradually infiltrated by Christians.⁵⁰ For example, the monastery purchased land and water rights in Mazalcorag in 1168 from their *exaricus* Jucef de Farag, an agreement which was witnessed by the son of the town's

⁴⁸ See C. Laliena Corbera, "Los regadíos medievales en Huesca," pp. 19–44; G. Liauzu, "Un aspect de la reconquête de la vallée de l'Ebre aux xie et xiiie siècles. L'agriculture irriguée et l'héritage de l'Islam," *Hesperis-Tamuda* 5 (1964): 5–13; Sesma Muñoz, "Regadíos andalusíes en el valle medio del Ebro," pp. 67–84; C. Orcástegui Gros, "Notas sobre el molino hidráulico como instrumento de trabajo y dominación en el Aragón medieval (siglos XIII al XIV)," *Aragón en la Edad Media* 2 (1979): 97–135; E. Piedrafita Pérez, "Infraestructura económica de los consejos de las Cinco Villas: regadíos, molinos y hornos (siglos XII–XIV)," *Aragón en la Edad Media* 12 (1995): 29–60; Teixeira, "El dominio del monasterio de Veruela"; Utrilla, "Tecnología hidráulica y regadíos medievales en el valle medio del Ebro"; T. Vilar, *El régimen jurídico de aguas en el llano de Lérida (siglos XII a XVIII)* (Barcelona: Universidad de Barcelona, 1977).

⁴⁹ Arenillas *et al.*, *La presa de Almonacid de la Cuba*, p. 190.

⁵⁰ See the Cartulary of Veruela (AHN, Cod. 995b).

sabasala.⁵¹ In the same year, Pedro de Bigorra sold land and water rights which had formerly belonged to Muça Faran, and which undoubtedly comprised a traditional irrigation setup.⁵²

Given the circumstances of the conquest – the fact that the countryside remained predominantly inhabited by Muslims and that the demographic swing in favour of Christians was gradual – the hypothesis that such systems remained fairly intact seems undeniable. This is significant, for if estates such as these were preserved as units, the general grid of landownership must have stayed much the same – surviving, one must conclude, the decline of the *hişn/qarya* structure. Indeed estates frequently continued to be designated by eponymous references to former Muslim owners, even after the conquest. In 1122, for example, Alfons I presented the “*almunia* known as Muzarra,” along with all its appurtenances, to the Temple.⁵³ That such estates retained their original composition even when they were made up of scattered holdings indicates that the other holdings which made up the mosaic of land tenure also must have stayed much the same.

Thus, in areas which were not wholly abandoned by Muslims, Christians would have been drawn into Muslim production systems and not the reverse. This was certainly the case in the area of the Sierra de Moncayo, where the Monastery of Veruela was a major landholder. Here Christians participated alongside *mudéjares* in complicated irrigation arrangements obviously based on pre-conquest principles.⁵⁴ Obviously, the best interests of new estate holders, whether they were institutions or individuals, lay in maintaining productivity, a goal which was best accomplished by letting Muslims continue their traditional irrigation and agricultural practices. Hence, Muslim irrigation systems were generally maintained by Christian lords, who even held inquests in order to familiarize themselves with their workings (for example, in 1106 near Tarazona).⁵⁵ Indeed, Muslim expertise in irrigation may have given *mudéjares* some advantage when negotiating with their new lords, endowing them with a fair degree of informal authority. This can be seen when irrigation systems changed hands. For example, a charter of 1148 which records *Don Gomez Godin* and his wife’s donation of a canal at Bruñén to the Temple bears the signatures of several Muslim witnesses. It is quite exceptional that any of the witnesses should be Muslim in an exchange between two Christian

⁵¹ J. Vispe Martínez “La fundación del monasterio cisterciense de Veruela y la constitución de su dominio monástico (1146–1177),” p. 346, doc. 61.

⁵² *Ibid.*, p. 347, doc. 63.

⁵³ “*almunia que vocatur Muzarra . . .*”: ACA, OM, GP, vol. 197, f. 70v (September 1179).

⁵⁴ AHN, Cod. 995b, f. 49r–v (October 1227); see also above, p. 114.

⁵⁵ Glick, *Islamic and Christian Spain in the Early Middle Ages*, p. 100.

Muslims in the economy of the Christian Ebro

parties, given the issues surrounding the validity of Islamic oaths; thus, their presence here can only be accounted for by the fact that it was they who best understood the workings of the irrigation system in question.⁵⁶ Christians, of course, were not ignorant in matters of irrigation, as reflected by the construction of new canals following the conquest, as at Fraga in 1181 and Huesa in 1282, but Muslim expertise remained relevant because their systems were not abandoned.⁵⁷ Hence, in 1268 the *Sarraceni* of Cuarte were granted a waterway to irrigate four fields according to the techniques that had been current under Muslim rule. Christian officials were warned not to interfere.⁵⁸ As Glick points out, attempts on the part of lords to dictate changes to irrigation systems were prone to failure and so control tended to remain in the hands of the producers.⁵⁹

In areas of mixed Christian and Muslim holdings, the use of common irrigation systems would have forced further integration and accommodation between producers of different faiths. Thus, an agreement for water use between Ambel and Alcalá involved the Templars, and the whole council of Ambel, Christians and Muslims, all of whom swore to honor the contract “by the grace of God and by the True Peace.”⁶⁰ Similarly, when the towns of Rueda and Belchite signed a concord to construct the *azud* (irrigation canal) of Lagata, the latter was represented by “the whole council of Belchite, namely, the orders, knights, *infanzones*, and workers, both Christian and Muslim, great and small, all in agreement.”⁶¹

Crop types and animal husbandry

There is also a convincing argument for continuity regarding the types of crops which Muslim farmers produced. Broadly speaking, the persistence of irrigation systems and the maintenance of formerly Islamic holdings as discrete units indicates continuity in agricultural practice, although rural producers also would have responded to changes in the market brought about by shifting trade and distribution networks and changes in demand which resulted from the conquest. Generally, the documentary evidence suggests that cereal (usually *triticum* and *ordeum*) production was a major

⁵⁶ AHN, Cod. 595b, no. 171 (1149).

⁵⁷ AHN, Cod. 598b, p. 64, no. 39 (8 June 1181), and ACA, C., reg. 52, f. 1r (20 January 1282).

⁵⁸ ACA, C., reg. 15, f. 90r (17 April 1268).

⁵⁹ Glick, *From Muslim Fortress to Christian Castle*, p. 159.

⁶⁰ “iuranes por la gracia de Dios e por la uerdadera paç . . .”: Teixeira, “El dominio del monasterio de Veruela,” pp. 472–477, doc. 23 (1242).

⁶¹ “nos omne concilium de Belchit scilicet, ordines, milites, infançones et laboratores tam christiani quam sarraceni, magni et pusilli, omnes insimul concordantes . . .”: C. Contel Barea, *El Cister zaragozano en el siglo XIII y XIV*, II, pp. 83–84, doc. 122 (29 June 1268); a second copy is dated 1 July: AHN, Cod. 54b, p. 494–6 (8 July 1268).

Muslims under Christian rule

concern, but that vineyards and market-gardens (*orti*) were also important. Single holdings are frequently described as consisting of several types of land, which, if not merely a scribal convention, indicates continued diversification on the part of growers.

One of the great innovations of Occidental agriculture is “mixed farming” – a system in which the same lands are used for agriculture and animal husbandry, so that by fallowing land as pasture, fertilizer in the form of dung is naturally distributed. It is a practice which promotes efficient land use and results in higher yields than cereal cultivation in which the fallow is not grazed. It would be interesting to know whether Muslim producers adopted this technique from their Christian neighbors – if indeed it was practiced at all in the *vegas* of the Ebro watershed. The obvious productive advantages of the system make this an intriguing possibility, but in the documentation of the twelfth and thirteenth centuries there is little to either substantiate or undermine the suggestion. On the other hand, Muslim farmers certainly engaged in transhumant husbandry, even contracting the services of Christian shepherds to guide their flocks, just as Muslims worked as shepherds for Christian parties.⁶² Hence, the Muslims of Ariza can be found sending two hundred rams and fifteen hundred sheep to pasture in Soria, in Christian Castile, while the sheep of the church of San Pedro “el Viejo” in Huesca were tended by a *mudéjar*, Çalema of Huesca.⁶³ *Mudéjares* even drove their flocks back and forth over the Christian/Muslim border, as reflected in an ordinance of 1210 in which Pere I freed the Muslims of Aragon from the obligation to pay a four-*solidi* tax for the “large animals” (“*bestiis grossis*”) which they conveyed to Muslim lands.⁶⁴ With the frontier having been pushed southward, the tax may no longer have been worth levying, although *mudéjares* of Teruel and Tortosa would have probably still been pasturing their herds in the Muslim-controlled uplands to the south. Occasional disputes over grazing rights, such as the Muslim council of Alfamen’s complaints in 1291 that Christians from neighboring villages were sending their herds in the town’s lands, show that *mudéjares* were anxious to protect their own pasturelands – the dispute was settled in the Muslims’ favor the following year.⁶⁵ Allegations of theft further confirm widespread Muslim stock-raising. For example, in 1288 the *alcaydus* of Alagón was ordered to effect the return of “large” and “small” animals stolen by *almogàvers* from

⁶² See p. 186.

⁶³ ACA, C., reg. 94, f. 105[81]r-v (18 February 1293); ACA, C., reg. 66, f. 63v (8 May 1286). Until the late thirteenth-century Aragonese Ariza and Soria both fell within the bounds of the Castilian diocese of Sigüenza in Castile, contributing to the imprecision of the frontier.

⁶⁴ Canellas, *Colección diplomática del concejo de Zaragoza*, 1, p. 132, doc. 41.

⁶⁵ ACA, C., reg. 90, f. 162v (19 November 1291); ACA, C., reg. 90, f. 228r (1 January 1292).

Muslims in the economy of the Christian Ebro

the Muslims of Barbués (20 km south of Huesca).⁶⁶ In 1281 the Temple complained that livestock belonging to its Muslim subjects in Masones had been stolen, and the monastery of Rueda lodged similar complaints regarding its *mudéjares* in Codos in 1294.⁶⁷ The following year, when Petrus de Rigule of Huesca unlawfully evicted Çalema de Fierro from his house in Bellestar, he also seized the Muslim's six "bestias maiores."⁶⁸

Other references to livestock indicate that a variety of animals were raised, but again reveal few details of practices. For example, in 1279 Christians could be found buying chickens and sheep from Muslim producers at the "alfundicus" of Zaragoza, while in 1283 Christians and Muslims of Grisén are described as raising goats ("ircos" and "capras"). These were sometimes considerable ventures; a single Muslim stock-raiser of Alfamen is noted as owning a herd of at least 350 sheep in 1278.⁶⁹ The clash of transhumant and sedentary farmers which occurred as a result of the increasing influence and rights of the former, and which became an emblem of late medieval peninsular economic trends (the development of the *Mesta*), involved Christian and Muslim participants in both camps. Thus, Jaime I's order permitting the *ganaderos* of Zaragoza free pasturage from Épila to Alcañiz was directed to all of his subjects.⁷⁰ Although under Christian rule agriculture, and particularly market-gardening, was to suffer as a result of liberties granted to herdsmen, the plains to the south of the Ebro had a transhumant tradition stretching well back into the era of Islamic domination.

MUDÉJAR TRADESMEN AND ARTISANS

Although the majority of *mudéjares* practiced agriculture, farming was by no means the only profession open to them, and Muslims of various trades appear in the documents: tailors, carpenters, shoemakers, smiths, dyers, soap-makers, physicians, and butchers. But artisans and farmers do not comprise two mutually exclusive classes, and individuals very frequently

⁶⁶ ACA, C., reg. 74, f. 65r (8 February 1288). *Almoçàvers* were Christian adventurers; originating as frontier militiamen, they evolved into mercenaries and privateers who ranged across the Mediterranean. The term is an Arabism, from *al-maghāwīr* ("swift raiders"); see J. Torró Abad, *El naixement d'una colònia, Dominació i resistència a la frontera valenciana (1238-1276)* (Valencia: Universitat de València, 1999), p. 35, for a modern analysis, or Desclot, "Llibre del rei en Pere," p. 631, chap. 79 for a contemporary description.

⁶⁷ ACA, C., reg. 49, f. 57r (27 March 1281); ACA, C., reg. 97, ff. 186v-187r (8 January 1294).

⁶⁸ ACA, C., reg. 101, f. 143r (15 June 1295).

⁶⁹ ACA, C., reg. 41, f. 72r (23 May 1279); ACA, C., reg. 61, f. 183r (30 July 1283); ACA, C., reg. 41, f. 21r (30 November 1278). For *alfundici*, see p. 245.

⁷⁰ A. Huici Miranda and M. Desamparados Cabanes Pecourt, *Documentos de Jaime I de Aragón*, 4 vols. (Valencia: Anubar, 1976-1982), 1, pp. 304-305, doc. 175 (1233).

Muslims under Christian rule

combined these activities. Nor was the practice of a trade necessarily a passport to prosperity nor agricultural work a condemnation to poverty – there were both poor artisans and rich farmers. Nevertheless, the survival of services and small industries such as these is consistent with the persistence of a “middle class” in the wake of the conquest. The practice of trades would have generated wealth and would have provided an additional anchor for the Muslim community, whose members could continue to patronize Arabic-speaking artisans offering the styles of product and techniques of manufacture which had been typical of the Islamic civilization of the Ebro. Muslim-owned businesses such as *ḥalāl* butchers’ shops or ovens, like that of brothers Albolçaçim et Mofferich Amos in ethnically mixed Pina, would also have continued to serve as important public social nexus in *mudéjar* society.⁷¹

Butchery had an overt link to religious identity, at least in the case of Muslims and Jews, whose particular dietary laws made this more than just another profession. Muslims’ right to slaughter meat according to the *sunna* was a concession they undoubtedly acquired as a consequence of their religious liberties, but the butchers themselves (as had been the case with Muslim religious officials) came to be royally licensed, another source of income for the royal fisc. For instance, when Jafia, the *baiulus*, received the license for the “Muslim butchery of Lleida” (“carnizeria Sarracenorum de Ilerda”) in 1169, he agreed to pay a weekly fee of two pounds of mutton. The grant amounted to a monopoly for the service rather than a fee for a specific establishment, given that Jafia was to pay the same fee should the butchering be carried out on other premises.⁷²

Occasionally conflict arose over the revenues associated with the sale of meat, as when Christian officials illegally attempted to take control of *ḥalāl* establishments. Thus, Jaume II ordered Christian officials in Borja not to substitute Christian supervisors (*majorales*) for Muslims in the town’s *mudéjar* abattoir, given that, according to the king, Muslim butchers’ shops were to sell meats “according to the exigencies and standards of morals of the Muslims.”⁷³ For their part, ordinary Muslims were not always so fussy about where they bought their meat, and their patronage of Jewish butcher’s shops in Tarazona and Huesca led Muslim authorities (perhaps preoccupied as much by loss of revenue as the dangers of heterodoxy) to ban this practice in 1295 and 1297 respectively.⁷⁴ In Calatayud, Christian and Muslim authorities took blatantly illegal measures to discourage

⁷¹ AHN, Cod. 649b, no. 481 (November 1122).

⁷² ACA, C., Alfons I, perg., carp. 43, no. 75 (January 1170).

⁷³ “debeant et teneant carnes uendere iuxta mandatum et extimationem Sarracenorum moralium . . .”: ACA, C., reg. 90, f. 144r (2 November 1291).

⁷⁴ ACA, C., reg. 101, f. 260r-v (3 August 1295); ACA, C., reg. 108, f. 61r (3 June 1297).

Muslims in the economy of the Christian Ebro

their constituents from buying meat processed by Jews, and Jaume II reprimanded them for passing by-laws prohibiting such purchases. The Muslim ordinances, which were based perhaps on local *fatāwā*, were struck down by royal order on the grounds that they represented innovations of *sunna* – an interesting indicator of the Christian perception of Islamic law as static.⁷⁵ Butchers, religious considerations aside, were not the only Muslim tradesmen to come under royal control, as a license granted to a barber or the monopoly granted to a family tannery demonstrate.⁷⁶ Taverns, mills, ovens, and olive presses all came under control of royal or seigniorial monopolies.

The trades which thrived most under Christian rule were those associated with luxury goods and construction, the latter attested by the many Muslim-built churches of Aragon. Although most surviving *mudéjar* architecture dates from the fourteenth century, much building in fact took place in the thirteenth. In Zaragoza the *mudéjar*-style church of San Miguel dates from this era, and work was carried out on the church of Santa María la Mayor by a certain Mahomet Duçmel prior to 1298.⁷⁷ Muslim bricklayers, contractors, engineers, and smiths gained not only wealth, but security and privilege through noble and royal patronage. In the aftermath of the enslavement of the Muslim population of Minorca in 1287 artisans, like the silversmith Haçem and the metalworker Abrafim, were able to preserve their liberty and the unity of their families thanks to Alfons II's need of skilled tradesmen in Barcelona.⁷⁸ Likewise, a group of Minorcans sent to settle in Valencia (as *mudéjares*) included Caçim and Mahomet Abulafia, and Abdalla Auanalaçat, a tailor and crossbowman.⁷⁹ In fact, many individual *mudéjar* artisans benefited from royal favor. For example, when Mahomet of Barbastro began working for the king in 1280, the *baiulus* of Lleida was ordered to outfit him with a workshop and all of the equipment necessary for his trade.⁸⁰ Jaume I granted the barber Ali de Galinera *franquitas* and special royal protection in 1260, while eleven years later Hameth Abinhali Alhaçabo of Zaragoza was rewarded with a grant of complete *franquitas* for himself and his family for life on his agreement to act as the monarch's special tailor for woollen and silken garments.⁸¹ After Çalema Alatili, a master engineer ("magister geniorum") of Lleida, had worked on a contract (probably the royal palace) in

⁷⁵ ACA, C., reg. 108, f. 121r-v (15 July 1297).

⁷⁶ ACA, C., reg. 11, f. 157v (28 December 1259); ACA, C., reg. 81, f. 156r (20 August 1290).

⁷⁷ Santa María la Mayor stood on the site now occupied by the new cathedral, "El Pilar." ACA, C., reg. 111, f. 256v (29 May 1298).

⁷⁸ ACA, C., reg. 71, f. 107r (15 December 1287); ACA, C., reg. 72, ff. 18v-19r (25 March 1287).

⁷⁹ ACA, C., reg. 70, f. 54r (8 March 1287). ⁸⁰ ACA, C., reg. 46, f. 44v (15 July 1280).

⁸¹ ACA, C., reg. 11, f. 157v (28 December 1259); ACA, C., reg. 16, f. 251v (8 October 1271).

Tarazona for four years, he returned to his duties as *alcaydus* of his home town, where he defended his jurisdiction against encroaching Christian officials and acted as a judge between the *aljama* and their *çauaquem*.⁸² Such was Çalema's favour with the crown that Alfons II even cleaned up the unpaid bills he had left behind in Tarazona while working for Pere II.⁸³

Opportunities carried accomplished *mudéjar* artisans from one end of the realm to the other, bringing them into contact with Muslims in other parts, and sometimes prompting them to resettle or invest elsewhere, like Ali of Zaragoza, who set up a dye works in Albalate de Arzobispo in 1290.⁸⁴ Individual cases aside, the dependence of the kings on *mudéjares* for key commodities, particularly arms, is evidence of the concentration of certain industries among Muslims, and of their adaptation to the Christian market.⁸⁵ The practice and preserve of specific trades and skills fostered ethno-religious cohesion, but it also brought *mudéjares* into contact with Christians as patrons, co-workers, and subordinates.⁸⁶ The *mudéjar* "magnate" Abrafim Bellido of Zaragoza spent a two-year stint as Master of Works at the royal palace in Valencia, indicating the degree to which Muslims and Christians could be integrated in the workplace. Abrafim had acquired his position as a result of his merit and influence; hiring a Muslim did not represent an economy, given that after Abrafim's firing in 1298 his replacement, a Christian, received the same salary.⁸⁷

As with Muslim communities elsewhere in the Islamic world, one of the hallmarks of *mudéjar* society of the Ebro Valley was a certain economic diversification, which operated both on the individual and familial level and would have contributed to a grass-roots economic stability. Çalema, the engineer of Lleida, for example, had interests which were

⁸² ACA, C., reg. 52, f. 16v (9 November 1281); ACA, C., reg. 59, f. 46v (3 August 1282); ACA, C., reg. 52, f. 68v (10 November 1283); ACA, C., reg. 67, f. 110r (31 October 1286), ed. Mutgé, *L'aljama sarraïna*, p. 201, doc. 12; ACA, C., reg. 74, ff. 24v–25r (6 December 1287); ACA, C., reg. 81, f. 67r (23 March 1289).

⁸³ ACA, C., reg. 78, f. 62r (27 March 1289). ⁸⁴ ACA, C., reg. 85, f. 112r (25 May 1290).

⁸⁵ Orders of crossbow bolts and other missiles were requested from Zaragoza, Huesca, Tarazona, Calatayud, Daroca, Teruel, and Lleida in August 1277: F. Soldevila, *Pere el Gran*, 2 vols., ed. M. T. Ferrer (Barcelona: Institut d'Estudis Catalans, 1995 [1956]), II, p. 99, doc. 86; from Zaragoza, Daroca, Teruel, Calatayud, and Lleida in June 1278 (ACA, C., reg. 22, f. 90r); from Zaragoza, Huesca, and Daroca in August 1284 and November 1286 (ACA, C., reg. 43, f. 14v, and ACA, C., reg. 67, f. 89r); from Lleida in November 1268 (ACA, C., reg. 67, f. 88r); from Zaragoza, Daroca, and Calatayud in March 1296 (ACA, C., reg. 89, f. 172r); and from Tarazona in February 1290 (ACA, C., reg. 82, f. 25v). Cf. Lourie, "Anatomy of Ambivalence," p. 75, n. 115.

⁸⁶ Such was probably the case with a group of Muslim silk experts who were traveling in the company of a Christian colleague in 1294 when they were illegally captured by privateers: ACA, C., reg. 262, f. 194r (19 December 1294).

⁸⁷ ACA, C., reg. 263, f. 56v (18 February 1296); ACA, C., reg. 263, f. 158r (15 October 1296); and ACA, C., reg. 196, f. 189v (20 April 1298). See p. 217 for Bellido.

quite diverse; in addition to his building contracts and the administrative offices he held, he owned a herd of no fewer than 108 sheep and goats which ranged across the foothills of the Pyrenees as far as the Cinca in Aragon. In 1294 a nobleman, Vallesius de Antilione, rustled the herd, and the Christian officials of Huesca were despatched to repossess it after he had defied a royal injunction of restitution.⁸⁸ While Çalema may represent a small elite, Muslim tradesmen tended generally to dominate local administrative posts; under Christian rule these positions were purchased, demanding a certain amount of capital to get started, and yielding a healthy return in terms of direct revenue, *franquitas*, and influence. But humbler Muslim artisans also diversified by working or owning land.⁸⁹ Of course, economic diversity was not an exclusively Muslim trait, and Christian tradesmen are also occasionally described as owning agricultural property, although with less frequency than *mudéjares*.

Indeed, this tendency to diversify might explain occasional references to the small size of Muslim landholdings relative to those of Christian farmers. For instance, in settling Christians in Tortosa, Ramon Berenguer IV occasionally found it necessary to combine several Muslim holdings in order to come up with property sufficient to sustain a Christian household.⁹⁰ In instances where Christians settlers are seen to be granted larger holdings than their Muslim neighbors the reason for such disparities was probably greater Muslim agricultural efficiency and economic diversity rather than sectarian discrimination.⁹¹ Generally, religious identity does not seem to have been a determinant in the size of land grants, and it seems rather improbable that a lord planning on profiting from his holdings would put a good number of his subjects in a precarious situation merely on account of their religious affiliation.⁹² Land descriptions in documents, alternately sketchy and formulaic, do not facilitate comparison even between plots in the same area. Therefore, one can hardly

⁸⁸ ACA, C., reg. 100, f. 127r (26 September 1294), ed. Mutgé, *L'aljama sarraïna*, pp. 202–203, doc. 14.

⁸⁹ See, for example, Durán, *Colección diplomática de la catedral de Huesca*, I, pp. 380–381, doc. 381 (1183): a carpenter of Huesca with two vineyards; *ibid.*, II, p. 555, doc. 584 (1200): a shoemaker of Huesca with a vineyard; UZ, CISPV, f. 54r (June 1192): a smith of Huesca with a vineyard; Canellas, “Colección diplomática de la Almunia de Doña Godina,” pp. 231–232, doc. 28 (1211): a (possible) smith in Cabañas with a field; AHN, Cod. 650b, no. 376 (13 June 1244): an *alfaqimus* in Caulor with a vineyard; and ACA, C., reg. 81, f. 58r (1 March 1289): a barber in Huesca with a well.

⁹⁰ Virgili, *Diplomatari de la catedral de Tortosa*, pp. 257, doc. 12 (1147); 68–9, doc. 21 (1149); 70, doc. 23 (1149).

⁹¹ Cf. Lourie, “Anatomy of Ambivalence,” pp. 15 and 16, cf. pp. 25–27.

⁹² Cf. *ibid.*, p. 16. Evidence suggesting that in “Aragon mudéjares were made to pay heavier rents than Christian tenants” would be difficult to deduce, given that rents may depend on a number of factors, including land quality, irrigation, and other obligations owed.

Muslims under Christian rule

deduce discrimination by observing, for example, that on the same day several Muslims were granted a house and two *jovates* each in Navarres, while two Christians were granted three and four *jovates* respectively in Sagunto and Calp.⁹³ Indeed, a grant in Gelsa by Jaume I to a Muslim settler, Mahomat Abenmahomat Abenzabit, specified that he would receive more property from the king “were [the original allocation] not sufficient” (“*si ipsa non sufficerit*”).⁹⁴

Nor does it seem that Muslims were necessarily the victims of harsher rent or tax regimes as a result of discrimination. Market forces, which included labor availability and technical expertise, as well as vulnerability to sectarian coercion, together determined the outcome of tenancy negotiations, often to *mudéjares*' advantage. For example, in 1273 the Abbot of Rueda granted a field in Gotor to the Muslims of Escatrón to plant with vines, in exchange for a one-third tribute. Earlier, the same plot had been granted to the Christians (“*hominibus*”) of Gotor for only a one-quarter tribute, but they had been liable to pay *decimas* and *primicias*, whereas the Muslims were not, thus making for a slightly lower net contribution on the part of the *mudéjares*.⁹⁵ In some cases royal tax policies gave a clear advantage to Muslims, as when Pere I granted a blanket *franquitas* to all of the Muslims of Aragon for a variety of sundry taxes (“*omni lezda, portatico, usatico, tolta*”) for which their non-*franci* Christian neighbors would have remained liable.⁹⁶ As these were transport taxes, the measure was probably meant to stimulate Muslim trade, both long-distance and local, within the kingdom.

MUSLIM TRADERS IN THE CHRISTIAN EBRO

The Christian conquest resulted in a “commercial realignment” of the peninsula and a subsequent displacement of Andalusí merchants.⁹⁷ Profound as this adjustment may have been, it did not result in the abandonment of commerce on the part of Muslims of the former *Thaghr*, although involvement in “international” trade may have declined. Still, Aragonese *mudéjares* and their Castilian counterparts continued to trade across the frontier. Thus, in 1297 Hamet of Agreda (in Castile) was given license to travel freely in Jaume II's lands. Two years earlier a Jew of the same town complained that his Muslim, Christian, and Jewish debtors

⁹³ ACA, C., reg. 10, f. 79v (8 June 1258). These towns were in the Kingdom of Valencia. A *jovate* is a unit of arable land.

⁹⁴ ACA, C., reg. 16, f. 208r (2 August 1270).

⁹⁵ AHN, Cod. 54b, pp. 271–272 (27 April 1247) and 272 (11 April 1273).

⁹⁶ Canellas, *Colección diplomática del concejo de Zaragoza*, 1, p. 132, doc. 41.

⁹⁷ See Constable, *Trade and Traders in Muslim Spain*.

Muslims in the economy of the Christian Ebro

in Aragon were in default – a further indicator of low-volume reciprocal cross-border trade.⁹⁸ Trade was also carried out across the Navarrese frontier by Christians, Jews, and Muslims, as a license granted by Jaume II in 1300 to the Muslims of Borja shows. Jaume ordered customs agents to allow them to take hemp (*cannabum*) and flax (*linum*), which were normally prohibited for export to Navarre, for a period of three years.⁹⁹ Similar permission had been granted to a Christian party, Petrus Ferrandi, in 1290.¹⁰⁰ Mahomet de Concha, a blacksmith of Lleida – another economically diverse *mudéjar* – traded within the Crown and as far afield as Granada.¹⁰¹ Indeed, a working copy of the Arabic version of a treaty between Jaume II and Muḥammad II al-Faḡīh (1273–1302) of Granada includes a clause in which the Muslim sovereign agrees to let the Christian king's *mudéjares* (مسلمونكم: “your Muslims”) trade in his lands.¹⁰² If the *mudéjares* of the Ebro did not engage in large-scale or long-distance trade to the extent that their Andalusi predecessors had, the motive may have been that wealthy Muslim long-distance traders had emigrated after the conquest, while those who stayed lacked the networks and resources to succeed in this type of commerce.

Mudéjar merchant activity within the Crown is confirmed by the issue of royal *guidatica* (letters of royal protection, sing. *guidaticum*), by complaints of mistreatment and abuse, and by numerous citations of *mudéjar* traders.¹⁰³ In 1283, for example, the Temple complained that the wheat (*bladum*) which one of its Muslim subjects of Albalate was carrying to market at Borja had been unlawfully confiscated; some years later the Muslims of Miravet and Bencenyl claimed they could not pay their taxes because the Templars were aggrieving them by preventing them from navigating the boats on which they carried wheat, olive oil, and other merchandise along the Ebro.¹⁰⁴ Nearly a century earlier in a suit by the Hospital, the Templars had been forbidden by the presiding judge, the Abbot of Poblet, from obstructing the boats of the Muslims of Azron

⁹⁸ ACA, C., reg. 109, ff. 362v–363r (25 September 1297); ACA, C., reg. 100, f. 326r (15 February 1295).

⁹⁹ ACA, C., reg. 197, f. 168v (16 August 1300), cit. BMA, p. 220, doc. 593.

¹⁰⁰ ACA, C., reg. 85, f. 25r (4 June 1290).

¹⁰¹ ACA, C., reg. 108, f. 41r (22 May 1297), ed. Mutgé, *L'aljama sarraina*, pp. 207–208, doc. 21; ACA, C., reg. 197, f. 141v (9 June 1300), ed. *ibid.*, p. 214, doc. 29; ACA, C., reg. 197, f. 141v (11 June 1300), ed. *ibid.*, p. 215, doc. 30.

¹⁰² M. Alarcón y Santón and R. García de Linares, *Los documentos árabes diplomáticos del Archivo de la Corona de Aragón* (Madrid-Granada: Las Escuelas Árabes de Madrid y Granada, 1940), p. 4 (Spanish, 5), doc. 2 (1292–1302).

¹⁰³ For the *guidaticum*, see R. I. Burns, “The *Guidaticum* Safe-Conduct in Medieval Aragon-Catalonia: A Mini-Institution for Muslims, Christians and Jews,” *Medieval Encounters* 1 (1995): 51–113.

¹⁰⁴ ACA, C., reg. 61, f. 156v (11 June 1283); ACA, C., CRD, Jaume II, ca. 139, no. 239 (June 1300).

Muslims under Christian rule

[sic] as they plied the river.¹⁰⁵ Privileges for urban markets, such as that at Sarrión (Tuesdays), typically granted liberty from tolls and customs to merchants of all three religious groups.¹⁰⁶ Likewise, *alfondici* were normally open to all, as was that operated by Petrus Ferrari outside the royal palace in Barcelona.¹⁰⁷ On the other hand, the fact that the *moreña* of Zaragoza boasted its own (possibly segregated) *funduq* is testament to the volume of goods carried by Muslims.¹⁰⁸ In 1290, municipal officials were warned not to force visiting *mudéjares* (from Alfamen) to stay there, confirming their right to lodge themselves and their goods wherever they wished in the Muslim neighborhood or the city proper.¹⁰⁹ Around 1300, the Muslim market of the city boasted eighty shops and 120 stalls, many of which were operated by Muslims from surrounding towns, some as far afield as Monzón and Tudela.¹¹⁰ Small-scale traders, like Jucef the mad potter (see p. 168), who regularly moved within a one- or several-day radius of their homes, must have been very common. The *proceso* which recounts his lynching also reveals that low-level Muslim craftsmen (here, carpenters from Ricla) were mobile, and that social networks among humbler *mudéjares* extended well beyond their own villages.

Local marketplaces for both agricultural produce and manufactured goods and services would have also fostered communication (if not understanding or sympathy) between Muslim and Christian inhabitants. There is no reason to assume that Muslim tradesmen were not patronized by members of other faiths (and vice versa). Indeed, trading licenses occasionally make specific reference to the right to sell to members of other faiths; Jewish Catalan grain merchants, for example, were granted such a privilege in 1290.¹¹¹ Owing to the nature of the surviving documentation, however, one tends to see evidence of such trade only in the context of commercial disputes, as in 1296, when the Muslim *alcaydus* of Zaragoza was called on to mediate a dispute between Michaela, the daughter of Petrus Eximini de Sancio de Alberta, and two Muslims, Mahomat filiu[s] de Mofarrech and Mahomat filiu[s] Abdelle de Mofarrech, over a quantity of grain.¹¹² But the frequency of such disagreements indicates how

¹⁰⁵ AHN, Cod. 662b, p. 31–33, doc. 14 (26 January 1199).

¹⁰⁶ ACA, C., reg. 49, f. 82r (5 or 6 May 1281).

¹⁰⁷ ACA, C., reg. 15, f. 107v (24 June 1268). *Fanādiq* (sing. *funduq*; Lat. *alfondicius*, Rom. *alfondega*) were way-stations and marts for merchants, providing accommodation for men and beasts and storage for goods. Christian *fanādiq* in the *dār al-Islām* also served as embassies. See, generally, O. R. Constable, *Housing the Stranger in the Medieval World* (Cambridge University Press, 2003).

¹⁰⁸ ACA, C., reg. 96, f. 24r (14 September 1293). ¹⁰⁹ ACA, C., reg. 81, f. 56r (14 May 1290).

¹¹⁰ The individual shop and stall owners named include Muslims from Borja, Monzón, Épila, Tarazona, Cabañas, Fuentes, Agreda, Calatorao, Pedrola, Mora, and Tudela: Bofarull, *El registro del Merino de Zaragoza*, pp. 19–38.

¹¹¹ ACA, C., reg. 83, f. 53r–v (13 June 1290).

¹¹² ACA, C., reg. 103, f. 205r (5 February 1296).

Muslims in the economy of the Christian Ebro

common these relationships were. Moreover, partnerships did not invariably end in discord, as the many documents which record normal and favorable business operations show. For example, when the Muslims of Ariza received a collateral of 1500 sheep from the inhabitants of Soria, they contracted a Christian shepherd, Dominicus Eximini, who retrieved them without incident.¹¹³ On the other end of the scale, Johannes Carbonelli of Tortosa did not disdain in his last will and testament to repay his Muslim neighbour, Abdelaziç, the two *solidi* which he had borrowed from him.¹¹⁴

CREDIT: A MECHANISM OF INTEGRATION AND FRAGMENTATION

The most visible form of interfaith commercial interaction was the practice of credit. The doctrine of each of the three religions discouraged lending at interest to co-religionists, and this served to a certain extent to 'politicize' credit along sectarian lines, as did the overwhelming dominance of Jews in this sphere. As the least numerous and most cohesive ethnic/confessional group, and with a relatively developed commercial tradition, Jews threw in their role as lenders.¹¹⁵ Moreover, Jewish families clearly dominated the thirteenth-century royal financial administration: the wealth and influence of administrators such as Jucef Ravaya, and the Portella and Avenvives families, each with their own networks of clientage, was not to be trifled with.¹¹⁶ Further, the community's disproportionately high contribution to the royal fisc, which accounted for some 22 per cent of direct taxes collected in the Crown (whereas they made up approximately 5 per cent of the population), ensured the kings' interest in accommodating them.¹¹⁷ Across the late thirteenth-century Crown of Aragon, significant numbers of Christians and Muslims found themselves in a situation of more or less permanent deficit, while Jews provided credit to the limits of their capacity. With the three communities so profoundly implicated in this dynamic, the potential for crisis was high. Borrowers who had little margin with which to overcome periods of difficulty were vulnerable to impoverishment through confiscation, whereas Jews, who were obliged to meet the frequent demands of the

¹¹³ ACA, C., reg. 94, f. 105[81]r-v (18 February 1293).

¹¹⁴ ACTo, Pergs., Testaments Legats Pies 2, no. 13 (10 December 1270).

¹¹⁵ For Jews as moneylenders, see Y. T. Assis, *Jewish Economy in the Medieval Crown of Aragón 1213-1327. Money and Power* (Leiden: Brill, 1997).

¹¹⁶ For the Ravayas see D. Romano Ventura, "Cortesianos judíos en la Corona de Aragón," *Destierros aragoneses* 1 (1988): 32-33, and Romano, *Judíos al servicio de Pedro el Grande de Aragón*, pp. 152-153; for the Avenvives see *ibid.*, pp. 165-167.

¹¹⁷ Hillgarth, *The Spanish Kingdoms*, 1, pp. 240 and 30-31.

Muslims under Christian rule

kings for extraordinary taxes and loans, were encouraged towards usury and other methods of dubious legality in order to maintain their own solvency.

Evasion of debt by Muslims

When Muslims endeavored to lighten or escape from their obligations to Jewish creditors, their interests frequently coincided with those of Christian officials and neighbors. The dynamic of cooperation which such a correlation could generate can be observed in Borja through the last decade of the thirteenth century. In 1292 the Christian *vicarius* and the Muslim *aljama* of the town were ordered to repay the debts which members of their communities owed to Jucef, a Navarrese Jew, who was represented by his brother Iuneç de Oblitas, a townsman of Borja.¹¹⁸ Six months after this order was issued, however, the indebted *aljama* succeeded in having the injunction overturned on the grounds (as a later confirmation explains) that Navarrese Jews had lost their right to collect debts owed by Catalano-Aragonese subjects as a result of the war between the Crown and that kingdom.¹¹⁹ To counter this objection, Iuneç claimed that he was the sole creditor, despite the presence of his brother's name on the contracts. The king accepted the argument, and Alamannus de Gudal, *superiunctarius* of Tarazona, was ordered in November of 1293 to collect the debts. The king's instructions, however, were not carried out, and the debtors asked for and received further dispensation in 1295. Four years later, when their goods were again under threat of confiscation for non-payment, they petitioned for and were awarded a new inquiry into the matter of their liability.¹²⁰ As it happens, the vulnerability of foreign lenders was not restricted to Jews, as is demonstrated by the unsuccessful attempt of Christian (*homines*) creditors from Navarre to collect the monies they had lent to the Christians and Muslims of Tarazona in 1295.¹²¹ But for the Christians and Muslims of Borja the Navarrese situation was only one justification used to evade their credit obligations. As early as 1286 the crops belonging to certain Muslims had been repossessed after their refusal to repay debts owed to a Zaragozaan

¹¹⁸ ACA, C., reg. 92, f. 150r (5 July 1292).

¹¹⁹ Navarre's Champagne dynasty (ruling from 1234) carried out a policy of aggressively blocking the Crown's ambitions in the western Pyrenees.

¹²⁰ ACA, C., reg. 94, f. 192r-v (23 December 1292), cit. Lourie, "Anatomy of Ambivalence," p. 44; ACA, C., reg. 94, f. 92[68]v (3 March 1293); ACA, C., reg. 96, f. 137v (20 November 1293); ACA, C., reg. 100, f. 328v (16 February 1295); ACA, C., reg. 113, f. 170r (22 June 1299); ACA, C., reg. 96, f. 137v (20 November 1293).

¹²¹ ACA, C., reg. 100, f. 328v (16 February 1295).

Muslims in the economy of the Christian Ebro

Jew, Sayt Abulafia.¹²² It seems difficult to imagine what the truant debtors could hope to achieve by postponing payments which they would eventually be made to pay, but in the mid-1290s their plan was revealed. In March 1296 they claimed to possess documents purportedly received from Jaume II which recognized that, according to the *sunna*, they were not liable for debts outstanding for more than seven years. Their creditors, who included three members of the powerful Portella family, rallied the support of the royal treasurer, Arnaldus de Bastida, and convinced the king that this was not the case. It was determined that the law in question had been “invented and made up anew by the said Muslims,” who were then ordered to pay up.¹²³ Nevertheless, the *aljama* persisted in refusing to pay, receiving curt reminders from the royal court in September and November of that year.¹²⁴

The *aljama* of Borja had not been the first to rationalize non-payment in this manner, and by the time that they had lodged their claim, royal patience must have been wearing thin. In 1291 the *mudéjar* debtors of Calatayud, and in 1294 those of Tarazona, had each tried the same tactic, but Jaume had ordered them to make good, rationalizing his decision on the basis of the kingdom’s *forum*, which prescribed a twenty-year interval for the invalidation of loans.¹²⁵ An identical petition by certain Muslims of Zaragoza in February 1296 was also rejected by the royal court.¹²⁶ The Muslims’ claim may have drawn on Christian law, which was based on the Old Testament idea of “Sabbatical years,” but in the light of the twenty-year limit of the *forum*, the connection cannot be direct.¹²⁷ The allegation that this “*çuna*” was innovatory suggests it originated in a *fatwā* dictated by a local Muslim authority, and the seven-year limit clearly had some ideological or legal resonance, since the *aljama* of Calatayud continued to insist on its validity despite rulings to the contrary. In 1302, its Jewish creditors insisted that their contracts were bound by the *fueros* rather than *sunna*, and that the seven-year rule did not, therefore, apply. Jaume II agreed.¹²⁸ Indeed, the later *Llibre de la çuna e xara* of Valencia prescribes

¹²² ACA, C., reg. 66, f. 98r (2 June 1286).

¹²³ “inuenta et facta de nouo per dictos Sarracenos”: ACA, C., reg. 103, ff. 299v–300r (22 March 1296).

¹²⁴ ACA, C., reg. 104, f. 106v (30 September 1296); ACA, C., reg. 105, f. 188r (15 November 1296).

¹²⁵ ACA, C., reg. 90, f. 147r (3 November 1291); ACA, C., reg. 99, f. 228v (27 June 1294), both cit. Lourie, “Anatomy of Ambivalence,” p. 32, n. 107, in her discussion of this episode.

¹²⁶ ACA, C., reg. 103, f. 218v–219r (15 February 1296).

¹²⁷ Lourie, “Anatomy of Ambivalence,” p. 32; D. Nirenberg, *Communities of Violence. Persecution of Minorities in the Middle Ages* (Princeton, NJ: Princeton University Press, 1996), p. 176.

¹²⁸ ACA, C., reg. 124, f. 147v (19 May 1302), BMA, p. 261, doc. 711.

Muslims under Christian rule

a twenty-year period for annulment – a case, perhaps, of local *mudéjar sunna* adapting precepts of Christian civil law.¹²⁹

Back in Borja, the Muslim debtors had not given up. In 1297 they reiterated their claim to a seven-year “statute of limitations” to which Jaime II replied directly to the *alfaquimus*, Mahomet, chastizing him for aggrieving the creditors by adjudicating according to invalid “customs and forms” which had been “recently adopted.”¹³⁰ The official was threatened with removal if he did not adhere to established custom. Out either of stubbornness or conviction, the Muslims of Borja (and Tarazona) refused to yield. Thus, in March 1298 Jaime ordered his officials to disregard their claims, and enforce collection.¹³¹ Any shred of sympathy which the *aljama* of Borja might have hoped to receive from the royal court had evaporated only months before, when the town’s Jews complained to the king that the Muslims had bribed one of their co-religionists to falsify receipts for the repayment of loans. The *procurador generalis* of the realm was ordered to punish the Muslims as they “deserved,” and in a manner which would serve as an example to others contemplating similar crimes.¹³² But the fact that, two years after the confiscation order of 1296, action had still not been taken indicates that Christian officials were in no hurry to seize their Muslim neighbors’ goods. When the property seizures finally did begin in May 1298, the Muslims and Christians of Borja filed a claim that they were being burdened by the confiscation, and Jaime II relented and ordered an entirely new hearing in the matter.¹³³ The outcome of that inquiry is not revealed in the chancery records, but whether the debtors finally prevailed or not, with the help of official collusion they had managed to tie up the affair in court for over a decade, obliging their creditors to engage in a lengthy and costly legal process while the money in question remained in their own hands.

The events at Borja in the 1290s should not be interpreted as mere malicious opportunism on the part of the *mudéjar* community, since there may have been an element of desperation on their part. The twin pressures of Jewish lending practices and Christian tax policies had been leading to a crisis in the preceding years. Since at least 1277 the *aljama* had been fighting the claims of *franquitas* of its own officials (*tenentes officium*) on

¹²⁹ C. Barceló Torres, ed., *Un tratado catalán medieval de derecho islámico: El llibre de la çuna e xara dels moros* (Córdoba: Universidad de Córdoba, 1989), p. 74, sec. 249.

¹³⁰ “secundum foros et açunas et alios modos nouos per uos nouiter assumptos”: ACA, C., reg. 109, f. 328v–329r (6 September 1297).

¹³¹ ACA, C., reg. 107, f. 288v (4 March 1298).

¹³² ACA, C., reg. 107, ff. 269v–270r (6 February 1298). The *procurador generalis* was the *chargé* of royal finance, known as the *maestre racional* in the fourteenth century: Valdeavellano, *Curso de historia de las instituciones españolas*, p. 594.

¹³³ ACA, C., reg. 111, f. 229r–v (25 May 1298).

Muslims in the economy of the Christian Ebro

the one hand and, on the other, an over-zealous Bishop of Tarazona who had been trying unlawfully to levy *decimas* and *primicias* from them since 1282.¹³⁴ In 1287 the community was struggling to win back goods and livestock which had been repossessed for back-taxes, and to have the tax burden for lands which had been seized by Jewish creditors shifted from them to the new owners.¹³⁵ Although the *mudéjares* eventually received an order confirming this right, the Jews continued to refuse to pay the taxes, provoking Muslim officials to seize the properties. A royal inquiry then found in favor of the Jews, and the *aljama* was ordered to restore the lands – a decision which must have reflected the respective lobbying ability of the two groups rather than any policy on the part of the Christian authorities to discriminate against minorities.¹³⁶ Two years later, however, at least some lands – those of Jucef and Juda Gallius – had not been returned to their owners, and the Muslims managed to win a new inquiry. Perhaps in an effort to diffuse tension and financial pressure, Alfons II granted the *aljama* a 50 per cent tax remission in 1290. Continuing to lobby, the Muslim community received an order from Jaume II curtailing the *franquitas* of their officials in 1293, and won a permanent reduction of their tribute to the traditional sum of 1500 *solidi* in 1299. This was half the 3000 *solidi* which the Jewish bailiff-general of Aragon, Jucef Ravaya, had been “extorting” (“extorsit”) from them annually for more than twenty years.¹³⁷ Obviously, Muslim attempts to evade debts in Borja must be considered within the larger context of the communal taxation system, and in view of previous tensions with Jewish creditors and officials; they cannot be interpreted merely as symptomatic of a vague communal antipathy or ideological friction. To the extent that their own interests were involved, the Christian community and its officials were content to assist the *mudéjares*, whether in mounting a joint defense of their property in the courts or dragging their feet in implementing royal decisions made in the Jews’ favor.

The collusion of Christian officials and Muslim debtors in Borja was not unique, as earlier events in Pina show. There Muslims had become indebted in the 1270s, and their inability or refusal to honor their loans resulted in an order to the town’s *justicia* and *alcaydus* to turn over their property to Ismael Aluicencç, a Jew of Zaragoza. In May 1284 Ismael complained that the Muslims had not let him take over the land, and

¹³⁴ ACA, C., reg. 40, f. 27v (13 November 1277); ACA, C., reg. 59, f. 120v (18 October 1282).

¹³⁵ ACA, C., reg. 70, f. 130v (14 June 1287); ACA, C., reg. 70, f. 145v (29 June 1287).

¹³⁶ ACA, C., reg. 70, f. 173v (28 August 1287); ACA, C., reg. 70, f. 188v (4 September 1287); ACA, C., reg. 81, f. 9r (10 January 1289).

¹³⁷ ACA, C., reg. 81, f. 63v (11 March 1289); ACA, C., reg. 83, f. 88v (1 October 1290); ACA, C., reg. 96, f. 5r–v (28 August 1293); ACA, C., reg. 115, f. 83v (8 November 1297).

Muslims under Christian rule

after he had returned in November with a royal charter confirming his rights, he was thrown out (“fuit eiectus”) by a group of *mudéjares*. The two Christian officials who had been entrusted with enforcing his rights (and had not) were once more ordered to act, suggesting that they had little interest in enforcing the rights of a “foreign” Jewish creditor over local Muslims with whom they may have had links themselves.¹³⁸ Indeed, a few months later Pere II received complaints from two other Jews that the Christian administration of Pina was taxing them unfairly.¹³⁹

Another series of documents reveals that by 1291 Jucef Auenhalut, a Jew of Calatayud, had been trying to enforce his contracts with a group of Muslims in Villafeliche for some time, but had been frustrated by inaction on the part of Christian officials. Alfons II’s earlier order of collection having been ignored, Jaume II commanded the *alcaydus*, Sancius Ferrandis Daluere, to act. This order, however, was also disregarded and had to be reissued two years later, at which time Jucef was forced to pursue another recalcitrant Muslim debtor from Gudal in the courts. In 1296 not only had he still failed to collect his money in Villafeliche, but his debtors had obtained an *elongamentum* by royal grace. By 1307, he had given up and passed the credit contracts on to Petrus Egidii of Calatayud, who was also obliged to take the creditors to court.¹⁴⁰ Thus, even when Jewish creditors prevailed in the courts, their ability to enjoy the benefit of their legal victories was limited by the unlawful steps which *mudéjares* were willing to take, and by the negligence of royal officials in implementing the king’s commands, motivated perhaps by ties of common interest which they shared with the debtors. Christian creditors, like Petrus Egidii, did not necessarily fare any better.

Credit and sectarian tension

Interfaith lending provoked tensions which in some circumstances could encourage a general atmosphere of ethnic confrontation and even sectarian violence. Orders such as that authorizing the Jews of Zaragoza to impound the goods of their obviously numerous Muslim debtors cannot have acted as a salve for communal tensions. In 1286 Alfons II ordered the goods of Muslims who owed monies to the Jewish *aljama* of Zaragoza

¹³⁸ See p. 176, n. 212 for the documents.

¹³⁹ Régné, *History of the Jews in Aragon*, p. 223, doc. 1230 (8 November 1284).

¹⁴⁰ ACA, C., reg. 90, f. 147r (3 November 1291); ACA, C., reg. 98, f. 120r (30 May 1293); ACA, C., reg. 98, ff. 128v–129r (2 June 1293); ACA, C., reg. 89, f. 176v (11 April 1296); ACA, C., reg. 141, 90v (3 November 1307), cit. BMA, p. 400, doc. 1117. Jucef Auenhalut was one of the most influential members of the Jewish *aljama* of Calatayud: See Régné, *History of the Jews in Aragon*, s.v. “Jucef Avenhalut.”

Muslims in the economy of the Christian Ebro

to be confiscated in accordance with a privilege granted by his predecessor, and the following year further orders were issued to the Muslims and Christians of the city.¹⁴¹ The potential for violence was real: thus a royal letter of 1290 ordered the *aljama* of Alfamen and its officials under threat of prosecution to protect a Jew who was coming to collect debts.¹⁴² Apparently isolated sectarian acts, such as when the Muslims of Riecla dispossessed Issach Abmafiou of a quantity of cloth and some land in 1284, frequently had long, hidden histories of non-sectarian tension behind them.¹⁴³ Through such episodes we see that acts of communal violence which may appear at first glance to be caused by irrational prejudices or emotional outpourings were more likely to have been caused by social tensions related to specific material issues.

The preceding scenarios demonstrate that the dynamic of Jewish credit in the Crown could serve as catalyst for *mudéjar* integration and cooperation with Christians. Although the lending dynamic was imbued with a sectarian quality, debt evasion was not a phenomenon which operated only across ethno-religious divisions. Episodes of concerted Christian-*mudéjar* resistance against Jewish creditors exhibit a solidarity which is only part of the picture: officials, debtors, and creditors aligned themselves according to the dictates of circumstance and relationships of interest. Hence, In 1292 three Muslims of Huesca complained that Muslim officials had seized properties belonging to them in order to satisfy an obligation of their *aljama* to a Jewish lender. Similarly when certain Jews and Muslims of Daroca compelled the *baiulus* of the town to repossess the goods of other Muslims, it was a Christian (perhaps the latter's landlord or associate) who complained to the king of this apparent abuse.¹⁴⁴ Likewise, usury was by no means an exclusively Jewish practice. In 1301, the Muslims of Daroca and Burbáguena were prosecuted for lending at interest rates in violation of the *sunna* and *fora*.¹⁴⁵ In an earlier letter regarding a civil suit between two Muslim parties in Huesca, Jaime I noted that both the *sunna* and the *forum* prohibited usurious lending among *mudéjares*.¹⁴⁶

Thus, the sectarian element in credit disputes should not be over-emphasized. Brazen refusals to honour loan contracts, such as that of the Muslims of Calatayud to the Jews of the same town in 1296, may have had a chauvinistic element, but Muslim debt resistance was by no means limited to Jewish creditors.¹⁴⁷ For instance, in 1291 the noble Petrus

¹⁴¹ ACA, C., reg. 66, f. 89r (29 May 1286); ACA, C., reg. 70, f. 129r-v and 129v (3 June 1287).

¹⁴² ACA, C., reg. 85, f. 206v (18 July 1290). ¹⁴³ ACA, C., reg. 46, f. 189v (11 May 1284).

¹⁴⁴ ACA, C., reg. 92, f. 147r (1 July 1292); ACA, C., reg. 105, f. 201v (20 November 1296).

¹⁴⁵ ACA, C., reg. 119, f. 3r (27 September 1301), cit. BMA, p. 243, doc. 661.

¹⁴⁶ ACA, C., reg. 289, f. 121v (25 June 1309), cit. *ibid.*, p. 442, doc. 1243.

¹⁴⁷ ACA, C., reg. 103, ff. 226v-227r (12 February 1296).

Muslims under Christian rule

Ladro de Vidaura sued Martinus Petri over a loan which the former's Muslim subjects had contracted with "G." de Reiglas, a Christian of Huesca, and had since refused to repay. The royal orders reveal that a Christian official joined the nobleman's camp as his agent.¹⁴⁸ In 1282 Humille, a Muslim of Tortosa, was accused of acting in contempt of his loan contract with Petrus Nicolay, while in 1296, three Muslims of Lleida were ordered to repay Hügeut d'Ivartz the eight *libre* and nine *solidi* which they had "maliciously" ("maliciose") refused to return to him.¹⁴⁹ Likewise, the Christian Johannes Duros needed to call on the royal courts in order to collect the hundred *solidi* owed to him by certain Muslims of Rueda.¹⁵⁰ Nor were Christian creditors any more dependable; in 1294, "G." de Lauanssa refused to repay Mahomet of Lleida the 150 *solidi* which he owed, and had to be compelled by the *baiulus* of Tamarite de Litera to do so.¹⁵¹

Christian and Jewish borrowers employed the same strategies for evading debts as Muslims did against their lenders, regardless of whether their creditors pertained to a different faith or not. For instance, the moratorium which "P." de Carcasona, a townsman of Lleida, received in 1279 was specified as valid on debts owed to Christians as well as Jews.¹⁵² When Bonsell de Caperes lent money to the Christian inhabitants of Maella he took a *Sarracena* as security, only to have the men of Maella and their lord, the local Temple commander, return to recover the woman (possibly a slave) and the loan document by force, leaving him without collateral and without a receipt.¹⁵³ When Bafia Migero and his wife Gempla, Jews of Lleida, refused to repay a co-religionist, Açach Ataç, the loans he had extended to them, Jaume II sent the matter to the courts to be heard in accordance with "the law and Jewish custom" ("ius et açunam Ebraycam").¹⁵⁴ Bitas, the Jewish *alfaquinus* of Tarazona who battled the Muslim *aljamas* of Tarazona and Borja on behalf of his co-religionists through the 1290s, had no better luck with Jewish debtors. Açach, son of Samuel Sisici, to whom he had sold some houses in Tudela, took possession of the property but refused to honor the payment contracts which he had signed.¹⁵⁵ As Bitas found, the risks of commerce and credit were not

¹⁴⁸ ACA, C., reg. 85, f. 189v (7 July 1290).

¹⁴⁹ ACA, C., reg. 59, f. 74v (2 September 1282); ACA, C., reg. 104, f. 111r (24 September 1296), ed. Mutgé, *L'aljama sarraina de Lleida*, p. 207, doc. 20.

¹⁵⁰ ACA, C., reg. 91, f. 85v (18 March 1292).

¹⁵¹ ACA, C., reg. 100, f. 45r-v (2 September 1294).

¹⁵² ACA, C., reg. 49, f. 7r (31 December 1279).

¹⁵³ ACA, C., reg. 92, f. 7v (8 April 1292); ACA, C., reg. 92, f. 7v-8r (8 April 1292).

¹⁵⁴ ACA, C., reg. 111, f. 283r (1 June 1298); ACA, C., reg. 256, f. 25r-v (7 May 1298).

¹⁵⁵ ACA, C., reg. 99, f. 228v (27 June 1294). For a discussion of difficulties encountered by Jewish lenders see Assis, *Jewish Economy in the Medieval Crown of Aragón*, pp. 39-41.

Muslims in the economy of the Christian Ebro

necessarily lessened when dealing with members of one's own religious community. If, on the other hand, credit disputes between Muslim parties surface infrequently in the documentation, this may be because they depended on distinct methods of enforcement and resolution: such cases would have fallen under the jurisdiction of local Islamic courts and, in any case, *mudéjares* may have preferred the informal methods of contract enforcement characteristic of a "collectivist" society.¹⁵⁶

The parade of creditors' complaints which appears in the chancery registers throughout this era should not distract from the reality that, despite the legal battles and forfeits, lending was profitable, and hence those with capital engaged in it with gusto – particularly when the opportunity to charge illegally high and usurious interest rates presented itself. In Aragon and Catalonia the maximum rate of interest had been fixed at 20 per cent in 1228 – considerably lower than that charged by many credit institutions of the modern, developed world.¹⁵⁷ Credit was a necessity for many of the Crown's inhabitants, and the kings frequently intervened to regulate interest rates or punish usurers. Thus – in one of many similar episodes which can be observed throughout the late thirteenth century – Pere II stepped in to protect the Muslim *aljama* of Villafeliche from extortionate lending in 1281, ordering creditors to respect the official interest rates set by Jaume I.¹⁵⁸ If Jucef Auenhalut was among those usurers, the *aljama's* resistance to him (see above, p. 206) can be seen to have a certain rationale. Indeed, the same king supported a similar plea by the Muslims of Zaragoza against the Jews of that city, who were accused of lending at rates higher than those established by his father.¹⁵⁹ To conclude, however, from the many documents referring to Muslims indebtedness that *mudéjares* were chronically indebted or impoverished as a community is risky; contracting and defaulting on loans seems to have been part of "normal" economic maneuvering. Debtors of any era are prone to cry poverty, and access to credit would have fueled rather than hobbled the *mudéjar* economy.

CONCLUSION

Muslims' integration in the larger economy of the Crown was even broader than that in administrative and fiscal spheres, and their relations with Christians and Jews in this respect was commensurately diverse.

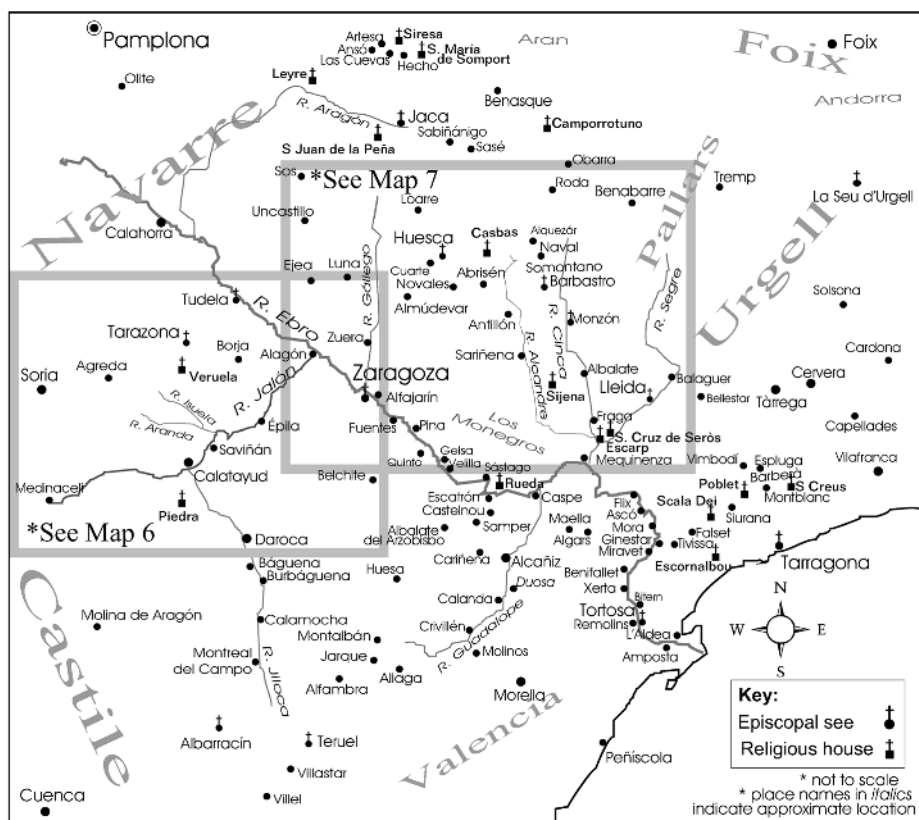
¹⁵⁶ See Greif, "Cultural Beliefs and the Organization of Society."

¹⁵⁷ D. Romano Ventura, "Prestadores judíos en los estados hispánicos," *Estudios Mirandeses* 8 (1988): 121.

¹⁵⁸ ACA, C., reg. 49, f. 74r (17 April 1281).

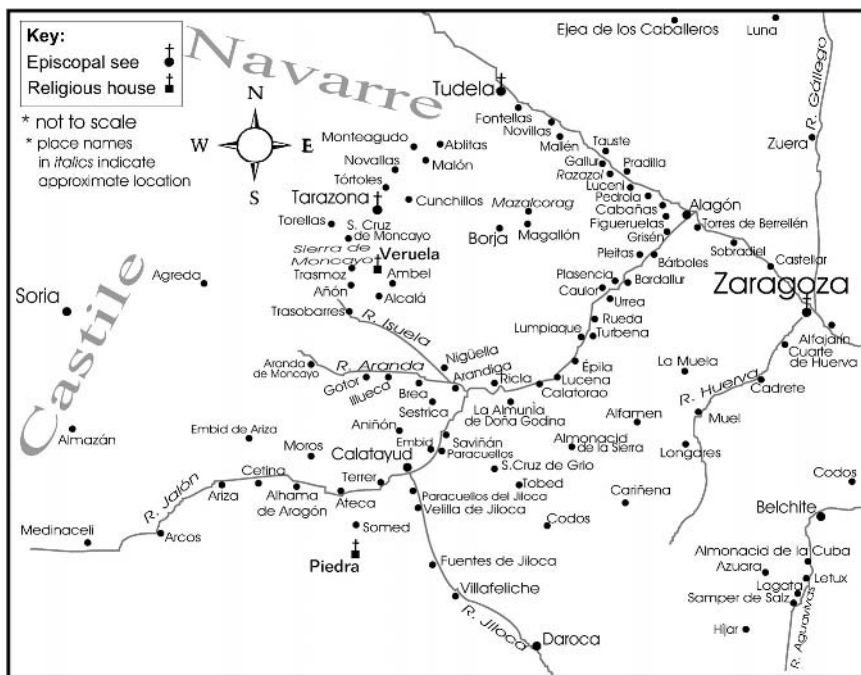
¹⁵⁹ Canellas, *Colección diplomática del concejo de Zaragoza*, II, pp. 243–244, doc. 349.

Muslims under Christian rule

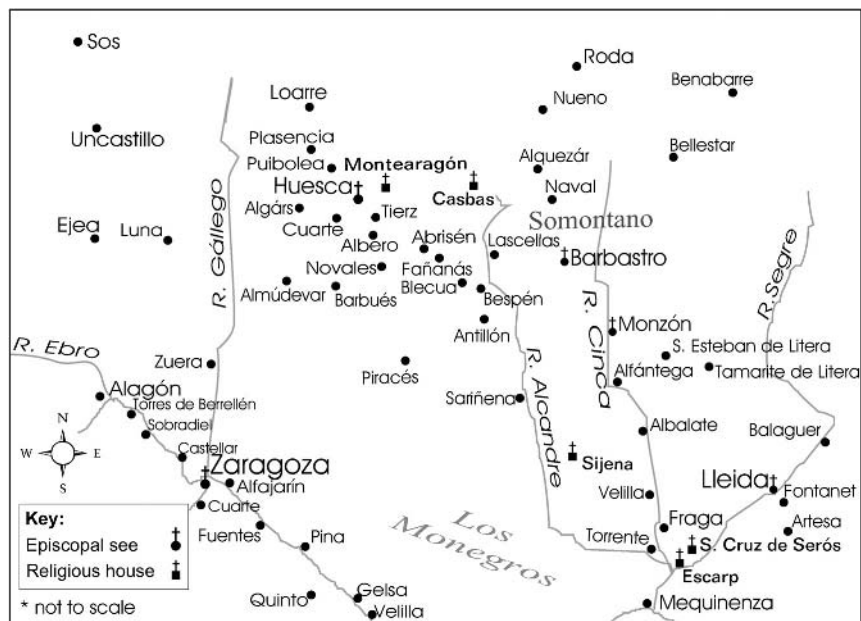


Map 5: Ebro valley settlements

Mudéjares interacted with members of other faiths as tenants, customers, tradesmen, lenders, and borrowers, and were thus drawn into local networks of trade, credit, and commerce. Although the great majority of Muslims, like Christians, were involved in agriculture, many individuals and households engaged in a diversity of activities. The paradigm of the *mudéjar* as economically oppressed (in relation to either the rest of the society or his or her own expectations), marginalized by virtue of religion, and isolated in closed rural communities cannot be applied to the Muslims of the Ebro region, or at least not to a significant portion of their population. Implicated in the Christian administrative and notarial system by virtue of their engagement in the labor, service, and commercial markets, Muslims adapted to new “Occidental” models and learned to use (and abuse) the established system to their best advantage. “Inventing”



Map 6: Settlements of the Jalón and upper Ebro valleys



Map 7: Settlements on the north bank of the Ebro

Muslims under Christian rule

sunna, forging documents, drawing out litigation, blatantly disregarding the law, and levering royal *elongamenta* were techniques which they adapted or developed as a response to the conditions established by their conquerors. Examining an analogous situation some five centuries later, Konrad reports similar adaptations on the part of native colonial subjects of early modern Mexico:

Having little success with the weapons and arena of combat chosen by the hacienda owners, the pueblos nevertheless attempted to use some of the tricks they learned from the representatives of Spanish culture. This involved the use of forged documents, agreements, or titles.¹⁶⁰

Two of Redfield's reflections are worth commenting on here. His paraphrase of Bremnes's description of "the market" (in its various incarnations) as a construct "which pulls out from the compact social relationships of self-contained primitive communities some parts of men's ideologies and puts people into fields of economic activity that are increasingly independent of the rest of what goes on in local life" is a valid approximation of the role of the market in the post-conquest Crown. Second, as he builds on Barnes' "third social field," the rural network, he extrapolates a "country-wide network" which associates people of different local and, in this case, ethno-cultural groups, encouraging the formation of temporary *ad hoc* networks (in his example, modern fishing crews, here, medieval tenancy relationships) which form up across locales. Both of these perspectives can help account for the complexity of inter-"religious" relations in this period.¹⁶¹ Looking over the economic landscape of the thirteenth-century Crown of Aragon it becomes clear that Muslims played diverse and significant roles. As was the case with Christians and Jews, broad tendencies to specialize encouraged a group dynamic and group affinity on certain levels, but these impulses were tempered by individual circumstances and currents which did not necessarily run parallel to sectarian divisions.

¹⁶⁰ Konrad, *A Jesuit Hacienda in Colonial Mexico*, p. 176.

¹⁶¹ R. Redfield, *Peasant Culture and Society* (Chicago: University of Chicago Press, 1956), pp. 28 and 31.

MUDÉJAR ETHNICITY AND CHRISTIAN SOCIETY

Whereas the last two chapters dealt with the administrative and economic structures of *mudéjar* society in the Ebro region, the present and following chapters examine the social situation of Muslims living under Christian rule. Governmental and commercial norms can be apprehended fairly directly from the documents, but social structures and dynamics tend to be rather more subtle in manifestation and are not, for the most part, described explicitly. This bias of the sources, coupled with the tendency for “Western” observers to idealize Islamic society, have discouraged inquiry into *mudéjar* ethnicity and discouraged historians from making adequate distinctions between group and individual identity in referring to Muslims under Christian rule.

The present chapter focuses on what may be called “internal” and “external” structural manifestations of *mudéjar* ethnicity. The internal structures relate to social divisions within the Muslim population, which was anything but an undifferentiated mass of disadvantaged and passive subjects. The documents permit the historian to discern two groups that stand apart from the bulk of *mudéjar* society, an upper class and slaves, although the actual situation was undoubtedly more variegated. The upper class is not mentioned as such in the contemporary sources, and slaves tend to be thought of as occupying a place completely outside of *mudéjar* society, yet each of the two groups played an integral role in shaping the *mudéjar* experience. Next, language and religion – the most visible manifestations of *mudéjar* ethnicity aside – are addressed. Arabic and Islam acted to maintained *mudéjares* “internally” as a coherent and confident minority, and “externally” by marking boundaries with Jewish and Christian out-groups. On the other hand, Muslim use of Latin and Romance contributed to cross-confessional integration, and the influence of Christianity on the vanquished provides important clues both to the internal state of *mudéjar* society and its place in the greater society of the Crown.

Muslims under Christian rule

“PATRICIANS” AND SLAVES: SOCIAL CLASS AND MUDÉJAR ETHNICITY

Muslim society in the Christian-dominated Ebro Valley was far from homogenous, which must be taken into account when discussing post-conquest adaptation, accommodation, and integration. Although contact with Christians took place across the social spectrum, two classes merit special attention. One of these, the urban administrative elite, was located at the top of the social hierarchy and acted as the medium by which Christian authority was transmitted to Muslim communities. The elite's role as intermediary brought its members into contact with a variety of Christian and Jewish individuals whom they would have perceived as allies or rivals according to circumstance. The slave population, lower in prestige, also came into close contact with Christian society and provided a channel of acculturation. Further, the arrival of slaves from foreign Islamic lands refreshed the Arabo-Islamic culture of the *mudéjares*, particularly when they were manumitted and took their place in free Muslim society.

The “urban patriciate”

The “patrician” or administrative class within *aljamas* was made up largely of tradesmen and merchants, a state of affairs which is only to be expected given that commercial activities would have provided the best spring-board for families to purchase and maintain administrative offices.¹ Examples abound in the documentation, such as the *çualquem* of Huesca who also owned a half share in a shop; the blacksmith, Lupus de Almontaquim, who became the *alguazir* of Zaragoza in 1260; and the appointment of Azmet Anajar as *alaminus Sarracenorum* of Quart in 1262.² Having obtained office, these functionaries endeavored to pass down their posts as if they were hereditary benefices, and individual confirmations of appointments frequently indicate that the previous holder had been the recipient's close relative. For example, when Abraham Abengentor was appointed *çualquem*, *alaminus*, and *scriptor* of Huesca, it was on the same terms that his father and his brother, Abdernele, had each held these offices before him.³ Similarly, Foçen fili[us] de Pharach Auinlatron received the *alcadia* and *scribania* of Zaragoza and all of its dependencies

¹ Burns coins the term in reference to the wealthy class of post-conquest Valencian *mudéjares*: *Islam under the Crusaders*, pp. 406ff.

² ACA, C., reg. 11, f. 163v (8 January 1260); ACA, C., reg. 11, f. 224r (20 August 1261); ACA, C., reg. 12, f. 63v (12 April 1262). *Al-najjār* means “carpenter.”

³ ACA, C., reg. 11, f. 161r (8 April 1260); see also p. 357.

Mudéjar ethnicity and Christian society

for life, just as his father, Faratg fili[us] de Abdella Auinlatro, had held them.⁴ Ali, the *alfaquinus* of Saviñán, whose wide dominion included the territory from Aranda to Burbáguena and to Calatayud, succeeded his father in that office.⁵ In 1294 Mahomet, *Sarracenus* of Borja, inherited his father Açmel de Porta's offices of *alfaquinus*, *alaminus*, *sabasala*, and scribe (*scriptor*).⁶ Çalema Alatili, engineer, carpenter, and typical member of the *mudéjar* patriciate, became *zalmedina* of Lleida in 1277, before inheriting the post of *alcaydus* from his father (who practiced the same trade) the following year.⁷ It is worth noting that inherited *aljama* administrative posts were handed down "vertically" from father to son, rather than "horizontally" to a senior member of a wider agnatic family (a cousin or nephew, for example) – a detail which suggests that clan-type family structures were not current among Ebro Valley *mudéjares* by the 1200s.

The inheritance of municipal administrative posts was not, of course, an exclusively Muslim phenomenon and can be observed among Christians, as in 1274 when Guillemenus de Darocha inherited the office of *sayon* of Tarragona, which had been held by his father and his grandfather.⁸ While it hardly needs pointing out that the aristocratic administrative institutions of Christendom normally functioned on principles of familial inheritance, among Muslims the tendency towards the passing down of offices was encouraged by the concentration of power in the hands of single individuals. For, as demonstrated by the examples above, the chief *mudéjar* official of a given locale tended to occupy all of the royally appointed offices of the *aljama* at once. This factor further encouraged the entrenchment of a narrow "patrician" class among *mudéjares* – a "closed shop" dominated by a consciously cohesive clique, marked off from the *mudéjar'amma*. Interestingly, this nepotism, which invited abuses of power, does not seem to have been considered objectionable in principle or practice by *aljama* populations.

The concentration of wealth in the hands of ruling families was favored by a variety of factors including income from official duties, influence at court and in the community, and the tax *franquitas* which were normally

⁴ See pp. 139 and 130. ⁵ ACA, C., reg. 49, f. 85v (1 May 1281).

⁶ "alfaquimus, alaminus, çabaçale et scriptor aliame Sarracenorum": ACA, C., reg. 194, f. 15r (25 May 1294); see also p. 366.

⁷ Mutgé, *L'aljama sarraïna de Lleida*, pp. 199–200, docs. 9, 10. Mutgé is undoubtedly right in saying that "Latele" is a scribal variant of "Alatili." Çalema remained in the office until at least 1294. In that year he received a royal *guidaticum* for himself and all of his family. This should not necessarily be taken as evidence of a planned journey or emigration, and may have been requested by the *alcaydus* in relation to stealing of his herds: ACA, C., reg. 100, f. 127r (26 September 1294), ed. *ibid.*, pp. 203–204, doc. 15; for the robbery, see p. 242.

⁸ ACA, C., reg. 19, f. 116v (28 August 1274). The *saion* was a sergeant-at-arms, responsible for arrests and executions: Valdeavellano, *Curso de historia*, p. 504.

Muslims under Christian rule

accorded to royally appointed officials. Such exemptions typically applied not only to the officials themselves, but also to their families; thus, when Abubocher Avinahole was approved as *alcaydus* of Tortosa in 1216, his entire family, including his siblings, were given *franquitas*.⁹ Indeed, *aljama* officials normally endeavored to convert this into a permanent privilege, further marking them as a class apart from “normal” Muslim subjects. The kings, for whom enfranchising Muslims did not represent a reduction of revenue, sometimes obliged, as did Jaume I when he granted Mahomad, son of a former *alfaquinus* of Calatayud, liberty from community taxes for his sons and daughters and all of his descendants *in perpetuum*.¹⁰ Tensions between *aljamas* and their leaders often arose as a result of the *franquitas* which these families claimed, and it is by way of the long legal battles which such disputes precipitated that wealthy families of the Muslim patriciate come into highest relief. Officials’ attempts to entrench their *franquitas* led to popular protest and provoked attempts at impeachment.

But officials were never wholly outside their communities; they were involved in the normal social dynamic of the *aljama*, which sometimes included family rivalries or factionalism, conflicts in which officials themselves became involved. As a result, they could be led to commit acts of violence against their own constituents, although normally they used administrative influence to achieve their ends. For example, in 1300 an official in Huesca (probably the *caualquem*) apparently conspired to sell a property to Abdalazis, the *alfaquinus* of Cuarte, at a deflated price. As a result, Abrafem Almafari lodged a complaint with the king, claiming that the houses in question had belonged to his deceased mother, Fatima, who had advanced them as security on certain debts, and that the official had sold them to his colleague for 130 *solidi*, although they had been valued at 400.¹¹ An inquiry was held and local *mudéjares* were called as witnesses, but the outcome is not revealed.¹²

Officials also tried to capitalize on their status in order to obtain loans on the *aljama*’s security or otherwise divert its resources towards their own use. In 1298, for example, a cabal of Muslim officials of Tortosa tried unsuccessfully to shift liability for a personal loan onto the *aljama*. The prime suspects included the *alcaydus* Natuelle Habib and the former *alcaydus* Mahomet Gauarreix, but a transcript of the original loan document reveals a wider conspiracy involving also Gauarreix’s wife Elfieus, Alfig Avinahole (“Abinaule”), Habib (the future *alcaydus*), Mofferrig

⁹ ACA, C., Jaume I, pergs., carp. 66, no. 43 (1216).

¹⁰ ACA, C., reg. 37, f. 78v (8 January 1275).

¹¹ ACA, C., reg. 114, f. 183v (22 January 1300).

¹² ACA, C., CRD, Jaume II, ca. 7, no. 975 (16 May 1300), cit. BMA, p. 203, doc. 546.

Abinahamer (*alaminus* of nearby Benifallet), Jucef Abingema, Mofferreig Abenfaqui, Abrafim Abehando, and Ali filius Mofferris Arrahauhi. The accused later claimed that the loan had been taken for the benefit of the *aljama*, an assertion roundly denied by the community.¹³ The involvement of unrelated current, former, and future officials in the conspiracy supports the contention that the patrician elite was bound by a class consciousness which encouraged them to act in solidarity against out-group Muslims.¹⁴ Nor was this an isolated incident; in 1308 the *aljama* of Daroca alleged that two former *alaminis* (by then deceased) had been involved in schemes of embezzlement and misappropriation of community funds.¹⁵

The wider prestige of dominant families is reflected in the authority which the Crown occasionally bestowed on relatives who were not themselves officials. For instance, when a conflict in Huesca pitted various current and former *aljama* officials against each other, Mahomat Albahar, whose only apparent recommendation was that his son had recently been appointed to the major *aljama* offices, was appointed to judge the case according to Muslim law.¹⁶ At Borja, in another instance of conflict between two Muslim factions, binding arbitration was mediated by four private subjects, one of whom was the son of the current *alfaquinus*.¹⁷ If such temporary appointments were meant to ensure objectivity in cases where officials were implicated or ineffectual, it was a cosmetic remedy at best, given that a father or brother would hardly be detached from the interests of the official in question.

The best-known and wealthiest of thirteenth-century *mudéjar* clans, the Bellidos, provides an ideal illustration of the trends discussed above. Discernible from at least 1212, when the family was commended to the Dominican convent of Zaragoza (the donation on which they would base their future claims of *franquitas*), the Bellidos can be traced up to at least 1390, and possibly into the 1430s.¹⁸ Riding a wave of craft and

¹³ ACA, C., reg. 100, ff. 379v–380r (14 March 1295); ACA, C., reg. 110, f. 157v (12 May 1298), cit. Lourie, “Anatomy of Ambivalence,” 44, n. 140; ACA, C., reg. 111, f. 232r (28 May 1298); ACA, C., Alfons II, pergs., carp. 127, no. 410 (6 February 1293). For the appointment of Gauarrex, see ACA, C., pergs., carp. 111, f. 169 (13 November 1278).

¹⁴ In addition to the officials themselves, Alfag Avinahole belonged to a family with local administration connections (see p. 337), as did Mofferreig Abenfaqui, judging by his patronymic (“son of the *faqīh*”).

¹⁵ ACA, C., reg. 142, f. 23v (18 May 1308), cit. BMA, p. 410, doc. 1147.

¹⁶ ACA, C., reg. 88, f. 168v (12 February 1294); ACA, C., reg. 88, f. 187v (22 March 1294); ACA, C., reg. 94, f. 184r (16 December 1292); ACA, C., reg. 99, f. 27r (15 March 1294); ACA, C., reg. 88, f. 201r (15 April 1294).

¹⁷ ACA, C., reg. 253, f. 22v (1 July 1279).

¹⁸ Lourie’s résumé of the family is quite comprehensive (Lourie, “Anatomy of Ambivalence,” pp. 34, 36–39, 42, 46–47), and only documents not cited by her or by Thaler (Thaler, “Mudejars,”

Muslims under Christian rule

trade-based prosperity in the middle of the thirteenth century, they began to expand out of Zaragoza towards the city of Valencia, where one Abraham Bellido entered the administration as a supervisor of maintenance at the royal castle.¹⁹ In this role he acquired further wealth and influence, allowing him to amass properties scattered around the Crown and set himself up as a creditor to both Muslim and Christian clients. When he eventually fell out of royal favor, Abraham hopped over to Tunisia, from where he was able to maintain his business associations in the Crown. While it may be true that Abraham was exceptionally wealthy for a Muslim but not so on the broader scale of the Crown (Lourie compares the much greater wealth of contemporary Jewish magnates), he certainly qualifies as a member of an economic and administrative elite which transcended the limits of confessional communities. In the finest style of the Jewish elite, Abraham Bellido provided credit to Christian aristocrats, including the great admiral Roger de Llúria (who received a royal absolution for his debts on the grounds of Abraham's usurious rates).²⁰ In their base of Zaragoza the Bellidos were undoubtedly the wealthiest *mudéjar* family of their time. In 1278, when Pere II demanded an extraordinary levy of 3450 *solidi* from twenty-two *franci* Muslims of Zaragoza, the contribution of three Bellidos (Jucef, Mahoma, and Abraham) amounted to 1300 *solidi*, nearly 40 per cent of the total.²¹ Obviously, their *franquitas* was seen as an affront to the tax-paying community and, along with their lending activities, engendered tensions with fellow Muslims which sometimes led to violence. In the mid-1270s, the family was linked to two violent incidents in Zaragoza: in 1275 Abraym de Bellido was sentenced to pay 500 *solidi* as a fine for his assault on Ali de Iuneç, and the following year he and his brother were ordered to be arraigned and judged according to the *sunna* for the murder of Muçe filii de Junez (a relative, perhaps of Ali) of which they were rumored to be guilty.²² In sum, in the context of the *mudéjar* world, the family was an anomaly only in terms of the quantity of its wealth; the dynamics into which the Bellidos were

p. 88) are noted here. The Bellidos of Zaragoza appear in a document of 1390 (see p. 337), while a document tentatively dated from 1431 mentions a Mahomet de Bellido in Gelsa: AHPZ, pergs., carp. 1, no. 2.

¹⁹ See above, p. 195. The family was involved in the building trade and several members owned shops in the Muslim market of Zaragoza: Bofarull, *El registro del Merino de Zaragoza*, pp. 13, 18 and 19.

²⁰ ACA, C., reg. 106, f. 108r-v (7 December 1297).

²¹ ACA, C., reg. 22, f. 98v (6 August 1278).

²² ACA, C., reg. 20, f. 299r (21 November 1275), ed. R. I. Burns, "Royal Pardons in the Realms of Aragon: An Instrument of Social Control," in *XV Congreso de Historia de la Corona de Aragón. Actas*, 2 vols. (Zaragoza: Gobierno de Aragón, 1993), 1.2, p. 44, doc. 3 (Burns reads "Bellico" for "Bellito"); ACA, C., reg. 38, f. 108r (15 December 1276), ed. Burns, "The *Guidaticum*," pp. 107-108, doc. 50.

drawn – interminable legal fights over tax liability, legal complications arising out of credit and debt, and occasional recourse to violence in dealings with their fellows – are typical of other relatively wealthy *mudéjar* families. The only uncharacteristic aspect of the Bellidos' case is that they did not become directly involved in the *aljama* administration.

Thus, if the old pre-conquest administrative class, based on Islamic forms and ideals, had persisted to some extent in the period immediately after the Christian conquest, a new “upper class” based on wealth generated by trade and commerce had evolved in the *aljamas* by the middle of the thirteenth century. In terms of fortune and influence, this elite did not compare with the families of the pre-conquest Ebro; moreover, with the exception of the Bellidos, they seem to have been restricted in their administrative activities to their own town and its environs. “Jucef,” who was appointed *alfaqinus* of Calatayud in 1295, may have been the son of the *sabasala* of Nigiüella, and Jucef fili[us] Faraggii Alfauinii, who led the *aljama* of Ricla, may have been related to Maphomet Alfauino, the *procurator*, *alfaqinus*, *alaminus*, *scriptor*, and *sabasala* of nearby Borja, but such minor incidents of cross-pollination are symptoms of intercommunity social connections rather than efforts at petty dynastic expansion.²³ Anchored in institutions which were neither entirely Islamic nor entirely Christian, the patrician families straddled a middle ground as the leaders of their community and affiliate members of the Christian administration. At times defending but frequently at odds with their own subjects, they comprised a pre-modern colonial native elite. Offices such as the *alcudia* and *çauaquenia* were Muslim and Arabic in name but had been emptied for the most part of Islamic content, and deprived of the checks and balances which had guarded against abuse under Muslim rule. For example, unipersonality (the competence of one magistrate per geographic jurisdiction), one of the principles of Muslim judicial administration, was not respected under Christian rule; at the king's discretion a given case could be ascribed to any Muslim judge of the realm, and occasionally a given town had more than one magistrate.²⁴ A tax roll of 1276, for example, records no less than three *alfaqini* in Saviñán.²⁵

²³ ACA, C., reg. 194, f. 202r-v (6 March 1295); ACA, C., reg. 40, f. 151v (7 September 1278); ACA, C., reg. 40, f. 16r (12 September 1277).

²⁴ For unipersonality, see Glick, *From Muslim Fortress to Christian Castle*, p. 173.

²⁵ ACA, C., reg. 33, ff. 100r-101v (15 June 1276). An account of a special loan made by the town's Muslim *franci* in 1276 lists Faraig, Mahomet and Abraham (who is excused on account of poverty, and may be a former official). In late 1280 Faraig de Burbáguena was confirmed in the post, with all of its customary rights, but it is not explicitly stated that his jurisdiction is exclusive. In May 1281 “Ali” is named as *alfaqinus* of Saviñán, with a jurisdiction covering Calatayud and the area from Aranda to Burbáguena, but again, the commission does not specify that his authority

Muslims under Christian rule

The mixing of sacred and profane vocations which typified the *mudéjar* ruling elite is quite common in the Islamic world, but in contrast, under Christian rule poor Muslims, no matter how pious, tended to be excluded from wielding influence. Thus, when Mahomet Reyllada, an *adelantatus* of Huesca, was deposed at the request of his *aljama* in 1293, the motives included his youth, quarrelsome nature, and poverty – the complaint points out that he had neither house nor possessions.²⁶ The ambiguous position of the *aljama* elites finds a striking parallel in Redfield's description of early modern and modern Andaluz village *señoritos*. Members of this group, he says, were distinguished by their manners and responsibilities, and comprised a clique which acted as an administrative and cultural intermediary between the *pueblo* and the city. They identified with the common people when pitted against a rival *pueblo* or predatory bureaucracy, but with *señoritos* of other *pueblos* in the business of administration and commerce – a characterization which fits the *mudéjar* "patrician" class well.²⁷

Burns observes that *aljama* officials and the "urban patriciate" may not have been the only community leaders in *mudéjar* society, but unfortunately, they seem to be the only ones which the sources disclose directly.²⁸ While some wealthy *mudéjares* appear in the lists of *franci* who were required to make extraordinary contributions to the royal fisc, there must also have been prosperous Muslims who remained under the tax jurisdiction of the *aljama* and who, therefore, do not appear in even these records. In fact, the documentation occasionally hints at their existence. For example, when a group of Christians and a Jew raided the house of Villeta, a *Sarracena* of Ricla, they are said to have carried off an impressive array of luxury goods and a quantity of cash, indicating that she was a person of some property. The complaint had been brought by Martinus Roderici, a squire of Petrus Ferrandi who had been lodging ("hospitabatur") with the woman at the time of the attack. The thieves may have been emboldened by the potential scandal which would have resulted from the Christian soldier's stay in the home of a Muslim woman. Typically, non-cooperation of local officials with the royal court presented an obstacle to the judicial process. Some months after the complaint was lodged, the *justicia* of Ricla was reprimanded for releasing two of the suspects from custody without authorization; faced with this official's refusal to act on the case, Jaume II ordered the *superiunctarius* of Tarazona to see

is exclusive. Their tenures may have overlapped. ACA, C., reg. 43, f. 95r (3 January 1284); ACA, C., reg. 49, f. 85v (1 May 1281).

²⁶ ACA, C., reg. 94, f. 45r (7 March 1293), ed. Basáñez, *La aljama sarracena de Huesca*, p. 133, doc. 3.

²⁷ Redfield, *Peasant Culture and Society*, p. 37. ²⁸ See Burns, *Islam under the Crusaders*, pp. 402ff.

Mudéjar *ethnicity and Christian society*

that the woman's goods (an extensive inventory of which is given) were returned.²⁹

Like their patriciate counterparts, other Muslims invested in properties not for their own immediate use, or took on a number of rural holdings simultaneously, either of which indicates that they were able to generate surplus wealth or to obtain credit for investment. The Darocan smith Abraham Vasqui, for example, bought a second shop in 1259.³⁰ The houses which the *alfaquimus* of Cuarte purchased under suspicious circumstances in Huesca (see p. 216) were also undoubtedly an investment, and the former proprietor, Fatima Almafari, apparently had various properties herself. Likewise, the Muslim agents which the Templars contracted in 1276 in order to bring thirty *mudéjares* to settle at their village of Villestar must have had independent financial resources with which to meet their operating expenses.³¹ In the 1280s, Avinahole ("Avinole") of Tortosa entered into a number of tenancies with that town's cathedral, including vineyards, olive groves and other properties in Aldovesta which, judging by their quantity, were an investment rather than a source of mere sustenance.³² Finally, a later document makes passing mention of a *mudéjar* named Maçot, whose properties outside Zaragoza in 1334 included several "casas" and "un palacio" – indication of some fortune.³³

Muslim slaves and mudéjar society

The lower end of the Muslim socio-economic spectrum was occupied by a significantly numerous slave population, a group often neglected by historians due to a tendency to define *mudéjares* as "free Muslims."³⁴ This is unfortunate, given that the boundary between slave and *mudéjar* was blurry and permeable in the thirteenth century, and the unfree

²⁹ ACA, C., reg. 86, f. 186v (3 September 1291); ACA, C., reg. 87, f. 47r (11 March 1292); ACA, C., reg. 94, f. 133r[109r] (27 December 1292), cit.: BMA, p. 67, doc. 127.

³⁰ ACA, C., reg. 11, f. 156v (27 June 1259).

³¹ See Gargallo, "La carta-puebla concedida por el Templo a los moros de Villastar," pp. 219–220 (1276).

³² Virgili, *Diplomatari de la catedral de Tortosa*, pp. 299–300, doc. 237 (1173–88); 301–302, doc. 238 (1173–1193); 462–463 {371} (1184). This "Avinole" may have been a forebear of Abubaquer Avinahole, appointed *alcaydus* of Tortosa in 1216, or of Alhaig and Jafia Avinolle, who ran the olive press concession in neighboring Benifallet later in the century: ACA, C., Jaume I, pergs., carp. 66, no. 43 (1216), ed. L. Pagarolas i Sabaté, *Els templers de les terres de l'Ebre (Tortosa). De Jaume I fins a l'abolició de l'Ordre* (Tarragona: Diputació, 1999), pp. 10–11, doc. 4.

³³ AHN, Cod. 651b, no. 207 (16 September 1334).

³⁴ Dufourcq and Gautier estimate the slave population of Catalonia alone to have been 12,000: Dufourcq and Gautier Dalché, *Histoire économique et sociale de l'Espagne chrétienne*, p. 168.

Muslims under Christian rule

contributed decisively to the character of “free” Islamic society.³⁵ The majority of the bonded class seems to have been acquired from foreign Islamic lands as booty in royally sponsored or private raids, or by trade, like any other commodity. Muntaner, for instance, claimed that in the aftermath of Pere II’s taking of Alcoll in 1282 (the first step in the king’s abortive campaign to conquer Tunisia), Muslim captives were so plentiful that they could be purchased for a *dupla*, leaving the king and the Christians “wealthy and content” (“rics e alagres”).³⁶ Merchants such as Berengarius de Arters, Berengarius de Sala, and Jacobus Martin embarked on peaceful trading missions to Muslim ports like Tlemcen (in modern Algeria), carrying permission from Jaume I to buy *Sarraceni*.³⁷ Christian privateers (indeed, often the same merchants) operating out of bases such as Tortosa and Tarragona also did a brisk trade, raiding Muslim shipping and carrying off captives to market. A comprehensive slave distribution network extended into the hinterland of the Crown, with the ports acting as major entrepôts and inland centers such as Lleida serving as regional slave marts.³⁸

Free Muslims also contributed to the pool of slaves, normally through judicial enslavement. The enslavement of *mudéjares* owed much to their status as members of a “protected community.” Because all Muslims pertained to the Crown, *mudéjar* judicial authorities were forbidden to inflict disfiguring corporal punishment or the death penalty on convicts, which would entail, in effect, damage to or destruction of royal property. Thus, when *mudéjares* were found guilty of certain offenses, particularly those punishable by death according to the *sunna*, the Crown often exercised the option of enslavement. The convict would then be placed at the disposal of the king (to grant, for example, to a third party), and the Muslim would thus suffer what was in effect a social “death” sentence. For example, the *aljama* of Picassent (Valencia) ordered the death penalty for Açañ filiu[s] Çulema in 1279, but the king commuted it to “royal enslavement” (“capiuit[as] domini”), and in 1281 Mahomet of Alfàntega was sold as a slave “for misdeeds” (“quorumdam maleficium”) which he had committed.³⁹ In 1300, thirteen Muslims of Escatrón were enslaved for ten years for illegally transferring their vassalage from the

³⁵ For the ambiguities of slave status, see B. A. Catlos, “Esclavo o ciudadano: Fronteras de clase en la Corona de Aragón, s. XIII,” in *De l’esclavitud a la llibertat: Esclaus i lliberts a l’Edat Mitjana*, ed. M. T. Ferrer and J. Mutgé (Barcelona: CSIC, 2000), pp. 151–166.

³⁶ Ramon Muntaner, “Crònica,” in *Les quatre grans cròniques*, ed. F. Soldevila (Barcelona: Selecta, 1971), p. 710, doc. 51.

³⁷ ACA, C., reg. 19, f. 162r (26 August 1274).

³⁸ E.g. ACA, C., reg. 100, f. 302v (24 January 1295) and ACA, C., reg. 100, f. 308r (29 December 1294).

³⁹ ACA, C., reg. 42, f. 191r (23 December 1279); ACA, C., reg. 49, f. 91v (4 June 1281).

Abbot of Rueda to an unnamed nobleman. They were ordered to be kept in chains and to serve as laborers or in any other capacity which the abbot chose.⁴⁰ *Mudéjar* women guilty of moral (i.e. sexual) offenses against the *sunna* were also liable to enslavement for their crimes.⁴¹ Jews – also a “protected” community – were in a similar position. According to Jaume II’s 1297 confirmation of an earlier privilege of Pere II, each *aljama* of Catalonia could appoint two *probi homines* as judges, but were forbidden to carry out sentences of death or mutilation without permission of the royal bailiff.⁴² Enslavement was also a royal prerogative in Jewish capital cases.

Despite this mechanism, surprisingly few references to judicial enslavement of *mudéjares* are recorded in thirteenth-century documents, and evidence shows that Muslims found guilty of grave offenses tended either to be executed or obtain a pardon. For example, after Mahoma Potefarina (or “Pan Farina”) and Abderame of Zaragoza were convicted of assaulting Egidius Tarini, the *merinus* of the city, they paid the substantial sum of 2000 *solidi* and were absolved.⁴³ While Abderrame appears to have in fact been enslaved, this was not a punishment for the crime itself, but rather in order to secure his share of the fine.⁴⁴ And while the majority of Muslims recorded as having violated the sexual codes of the kingdom by embarking on dalliances with Christian women managed to obtain annulations of their sentences, on the other hand, Ceui, a Muslim of Tarazona convicted of sodomy in 1270, did indeed go to the stake and have his properties confiscated – punishments prescribed for like offenders of any faith.⁴⁵ The royal prerogative to enslave *mudéjares* was more frequently exercised in other circumstances, notably debt default. Thus, Mahomat de Corati, a Muslim of Ricla, was enslaved in 1284 for failing to make payments to a Christian who had pledged security for back taxes which he owed.⁴⁶

The same principle which protected Muslims from capital punishment prohibited their enslavement by private individuals or administrative organizations without royal permission – a statute which dates back

⁴⁰ ACA, C., reg. 116, f. 40r–v (24 August 1300), cit. BMA, p. 221, doc. 595. The Muslims of Terrer were reprimanded, but not enslaved, for the same offense (see p. 289).

⁴¹ See p. 306. ⁴² ACA, C., reg. 109, f. 325r–v (26 July 1297).

⁴³ ACA, C., reg. 94, f. 90[60]v (4 March 1293). For Pan Farina, see p. 378.

⁴⁴ See p. 233.

⁴⁵ ACA, C., reg. 16, f. 238v (22 October 1271). His properties were granted to Petrus Valero. Christians convicted of *sodomitia* did not fare any better, at least in Tortosa, where the death penalty was prescribed. For Christian law and practice, see Massip, *Costums de Tortosa*, p. 485, doc. 9.24.3; *Furs de València*, VIII, p. 97, sec. IX.LXIII; and R. I. Burns, *Foundations of Crusader València: Revolt and Recovery, 1257–1263*, 2 vols. (Princeton, NJ: Princeton University Press, 1991), II, p. 350, doc. 316. For sexual offenses, see Table 2, p. 309.

⁴⁶ ACA, C., reg. 43, f. 9v (6 August 1284).

Muslims under Christian rule

at least to the era of Pere I and which was confirmed in Jaume I's *Vidal mayor*.⁴⁷ Sometimes, however, Muslims and converts who found themselves financially over-extended willingly entered contracts of temporary bondage with either their creditors or third parties. In such agreements, the prospective owner pledged to pay the outstanding debts in exchange for a period of service (either established or open) and the payment of a sum of money. The slave in question might be further bound by a clause which allowed the owner to sell him or her in the event that this obligation was not fulfilled within a set period.⁴⁸ In such cases, slavery effectively represented a garnisheeing of wages rather than a legal loss of freedom.

The black market in slaves

The ubiquity of slave ownership, the profitability of the slave trade, and the difficulty of establishing the status of a given person encouraged a thriving black market in which Muslims were undoubtedly the primary victims. The case of Phebo, a Muslim woman of Teruel kidnapped along with her two sons in 1279, is a sensational example. An inquest found that she had been murdered and her children sold as slaves in the Kingdom of Valencia.⁴⁹ In 1290 the Muslims of Nigüella complained that a group of nobles had raided their town, carrying off four boys (along with eleven cattle and two asses). The raiders were ordered to return the boys and to refrain from further harassing the *aljama*.⁵⁰ A year later, Alii fili[us] Farach Dalbohen complained that "some men" ("aliqui homines"), perhaps a professional ring, had kidnapped two Muslim girls of Rueda, who were allegedly sold into slavery in Navarre. Three local Christians, Jordana Luppi, her sister Paloma, and her husband Marchi Ramires, had aided the abductors. Jaume II ordered the local *justicia* to investigate the disappearance, recover the girls, and punish the culprits in an exemplary manner.⁵¹ In 1295 the king ordered an official in Lleida to investigate allegations that a free Muslim of Borja had been abducted and taken secretly to Lleida to be sold in the town's market. The king ordered the *mudéjar* in question to be freed and the culprit prosecuted.⁵²

⁴⁷ Lacruz, "Dos textos interesantes," p. 537, doc. 12 (1208); cf. *Vidal*, II, p. 478, sec. VIII: 19.17–19; *Fori*, p. 94.

⁴⁸ E. Lourie, "Free Moslems in the Balearics under Christian Rule in the Thirteenth Century," *Speculum* 45 (1970): 629–630.

⁴⁹ ACA, C., reg. 41, f. 95r (27 June 1279). For the illegal trade in free *mudéjares*, see Lourie, "Anatomy of Ambivalence," pp. 64–69.

⁵⁰ ACA, C., reg. 85, f. 20r (22 May 1290). ⁵¹ ACA, C., reg. 90, f. 101r (15 October 1291).

⁵² ACA, C., reg. 100, f. 302v (24 January 1295).

The jurisdictional autonomy of the various kingdoms and counties of the Crown encouraged the circulation of human contraband across internal borders. Thus, in 1285, after it came to light that some Muslim slaves who had been sold by the royal official Berenguer de Manso were in fact *mudéjares* who had been kidnapped from Valencia and other territories, an inspection of *albarana* ('receipts') was ordered across the realm. In cases where irregularities were discovered, vendors were to be refunded the full sale price.⁵³ This was not the first such incident. Six years earlier Domincus Petri, a royal official, found a group of Muslim slaves in Catalonia whom he believed had been kidnapped from Valencia. The *vicarius* of Tàrraga and Cervera was ordered to investigate, asking owners to produce official sales receipts. Failing this, he was to interrogate the slaves themselves, who, if they asserted that they were not in fact slaves, were to be freed.⁵⁴ Less than two months later, Saat Abenaraçu and his son Abdella were liberated after their purchaser, a certain Bartholomeus Colltellerio of Teruel, could furnish no proof contrary to their assertions that they had been unlawfully captured.⁵⁵ Such orders represent concrete applications of Pere II's general legislation of 1278, which provided for the protection of free Muslims against unlawful enslavement.⁵⁶ According to the king's decree, any slaves not bearing proper documentation were to be seized and interrogated regarding their provenance.

Mudéjares, however, were not the only parties vulnerable to abduction. Christians, especially children, were illegally enslaved or abducted in cross-border and inter-noble raids, and several cases in which young Christians had been kidnapped to be sold in the guise of Muslims came before the royal courts.⁵⁷ Abduction at the hands of raiders, however, was fairly common. Of the scores of incidents which are recorded in the chancery records, the order in 1285 to the nobleman Petrus Salendrii to return the *homines* (Christians) which he had captured from Rogerius de Ceruara without royal permission, and the note, just a few months earlier, from Pere II to Garcia Eximini, *alcaydo* of Malón, ordering the latter to hand over the people (*homines*) captured in a *cavalacata* to Muça de Portella, are typical.⁵⁸ Illegally enslaved individuals, whether Christian or Muslim, can also be found contesting their status in royal courts. Thus, Suça, a Muslim woman of Barcelona, brought a claim of unjust debt-enslavement to the royal court in 1289, and Axia and Maria of Lleida

⁵³ ACA, C., reg. 58, f. 113r-v (31 October 1285). For *albarana*, see pp. 227ff.

⁵⁴ ACA, C., reg. 41, f. 74r (21 May 1279). ⁵⁵ ACA, C., reg. 41, f. 101v (12 July 1279).

⁵⁶ Soldevila, *Pere el Gran*, p. 111, chap. 115.

⁵⁷ See B. A. Catlos, "Four Kidnappings in Thirteenth-Century Aragon: Christian Children as Victims of Christian-Muslim Domination," *Scripta Mediterranea* 19–20 (1998–1999): 165–180.

⁵⁸ ACA, C., reg. 56, f. 63v (17 April 1285); ACA, C., reg. 58, f. 88r (20 March 1285).

Muslims under Christian rule

sued a monastery for their freedom in 1292.⁵⁹ In 1296 Jaume II ordered Xemçi of Daroca to be returned to her parents after she had been illegally detained as a slave by a Christian couple.⁶⁰ The culprits in the case were Egidius de Bidaure and his wife, Theresia. They had each been called to order several times for similar abuses against Christians and Muslims: for abusing the Muslims of Çirach in 1279; for seizing lands from the *alaminus* of Urrea, a vassal of Alamannus de Gudal, in 1289; and for seizing lands from Christians in Saviñán. Egidius was also involved in Jewish and Muslim factional struggles in Daroca – which may be linked to his abduction of Xemçi.⁶¹ As in other legal affairs, *mudéjares* who had a Christian institution as an advocate by virtue of a seigniorial relationship were undoubtedly better protected. Thus, in 1285, five Muslims who had been captured on the pretext that they were Navarrese subjects were able to count on their lord, the Temple Commander of Miravet, to succeed in freeing them.⁶²

The same merchants and privateers whose activities accounted for so much of the legal slave trade were also protagonists of illicit trafficking, and the chancery registers of the late thirteenth century abound in orders reprimanding fortune-seekers for the capture or sale of Muslims who were either subjects of the king or foreigners protected by truce. Impressive if informal mechanisms of “international law” developed around the issue, as reflected by the many royal orders for the repatriation of illegally captured foreigners. In 1285, for example, Pere II ordered the release of a party of three Muslim merchants (including at least one woman), along with the considerable amount of money (seventy-two *duplas auri*) and goods they were carrying. They had been passing through Denia under *guidaticum* of the king when they were waylaid.⁶³ Similarly, in 1290 Jacobus de Poblet was ordered to release certain Muslims of Almería whom he had captured, because the Crown had a treaty with Granada at the time.⁶⁴ Jacobus should have known better; only eleven months earlier the *baiulus* of Valencia had been ordered a halt to all raiding of Granadan territory and all prisoner-taking, due to the conclusion of the treaty.⁶⁵ Further, in 1291 and 1292, the *infant* Pere and Jaume II sent orders for the recovery of a certain group of Muslims of Jerba (an island off modern Tunisia, then a dominion of the Crown) who had been captured by

⁵⁹ ACA, C., reg. 80, f. 142v (23 December 1289); ACA, C., reg. 92, f. 158v (9 July 1292).

⁶⁰ ACA, C., reg. 103, f. 246v (5 March 1296).

⁶¹ ACA, C., reg. 38, f. 59r (25 October 1276); ACA, C., reg. 81, f. 48v (9 March 1289); ACA, C., reg. 90, f. 129v (1 November 1291); ACA, C., reg. 105, f. 201v (20 November 1296).

⁶² ACA, C., reg. 44, f. 239r (21 September 1284).

⁶³ ACA, C., reg. 57, f. 189r (4 September 1285).

⁶⁴ ACA, C., reg. 80, f. 155r (24 December 1290).

⁶⁵ ACA, C., reg. 81, f. 10r (16 January 1290).

Mudéjar ethnicity and Christian society

privateers based in Tarragona, specifying that the Muslims in question should be fed well and not mistreated while awaiting liberation.⁶⁶ Some time later, Archbishop Roderic Tello of Tarragona was given to assure Jaume II that the Granadan Muslims who had been captured by pirates operating out of his city would be freed in accordance with the king's wishes.⁶⁷ But overly enthusiastic privateers also practiced their art on "friendly" Christian merchants, who could hope to fare no better than Muslims without royal protection against the Crown's corsairs. Hence the reprimand issued by Jaume II to a group of Tarragonese who had set out allegedly to "practice piracy" ("piraticum exercendo") against Muslims, but who in fact attacked Christian merchants who were sailing near Sardinia under royal protection.⁶⁸ The spirit of diplomatic law regarding captives was adhered to to such a degree that in 1287 Alfons II instructed a Christian captive of Cutanda to be returned (once it was established he was a subject of one of the king's enemies) to the Muslim mercenaries who had captured him – an order which ran counter to the papal decree which forbade Muslims and Jews to buy or hold Christian captives.⁶⁹

Slave albarana

Rising to the pre-Information Age challenges of keeping track of the sale and movement of the many slaves in the Crown, royal authorities developed a system to verify the status of subjects. Just as the *guidaticum*, the letter of transit, was used as a means of guaranteeing the security and monitoring the movements of travelers within the realm, the *albaranum* developed as an instrument for verifying the status of individual slaves. *Albarana* took the form of either contracts of sale, which guaranteed the status of the human merchandise in question, or customs receipts issued on royal authority for slaves brought into the realm. Their primary function was to ensure that the 20 per cent sales tax (*quinta*) on booty (*bona guerrae*) was paid for the import of each slave; vendors issued an *albaranum* at time of sale, and owners were expected to produce it on demand. Thus, in 1285 Pere II wrote the *baiulus* of Tortosa acknowledging that the four

⁶⁶ ACA, C., reg. 86, f. 49r (16 December 1291), ACA, C., reg. 86, f. 49r-v (16 December 1291), ACA, C., reg. 86, f. 95r (26 April 1291); and ACA, C., reg. 91, f. 88v (20 March 1292).

⁶⁷ ACA, C., CRD, Jaume II, ca. 135, no. 445 (no date, but 1296–1308; Jaume II proposed a truce with Granada in 1295 and it was signed in 1296; Tello was Archbishop until 16 December 1308). See M. T. Ferrer i Mallol, *La frontera amb l'Islam en el segle XIV. Cristians i Sarraïns al País Valencià* (Barcelona: CSIC, 1988), pp. 73–74.

⁶⁸ ACA, C., reg. 264, f. 53v (12 August 1297).

⁶⁹ ACA, C., reg. 74, f. 5r (21 October 1287). For the papal decree, see A. Friedberg, *Corpus iuris canonici* (Leipzig: Bernard Tauchnitz, 1881), p. 223, Lateran III (1179), sec. 26.

Muslims under Christian rule

Muslims captured at sea by Berenguer Amat were *bona guerrae* and that the *quinta* had been paid.⁷⁰ In August 1281 the king had delegated the *baiulus* of Barcelona authority to issue *albarana* for Muslims and other property which a certain Petrus de Vilajo had captured on a recent raid, permitting him to take the slaves to whatever Christian or Muslim lands he wished.⁷¹ Thus, when the knight (*miles*) Bernardo de Vilario sold his captive, the “Saracena blanca” named Maymona to Dominicus Comigiarii of Tortosa for twelve *duplas* in 1282, he closed the contract with the affirmation, “and I hand over the *albaranum*.”⁷²

The text of *albarana* varied, but slaves were usually denoted by skin color, gender, age and sometimes name and profession, and *bona fide* clauses, guaranteeing that the individuals in question were indeed slaves and Muslims, were usually appended.⁷³ Hence, when Bernardus Narbo sold the Templar Commander of Barcelona a white (“album”) Muslim named Mafumet for thirty *libras* in 1284, he had to swear that Mafumet had not been abducted and was neither a foreign Muslim ally (“de pace”) nor a *mudéjar* (“de palia domini regis”). He staked his own property as collateral and provided a guarantor, Raimundus de Colle of Barcelona.⁷⁴ Other vendors assured their customers by inserting a clause to the effect that the slave in question had been born of Muslim parents. Thus, when Berengarius de Villa Grassa and Petrus de Codina sold the mulatto (“laurus”) slave Ali to Arnaldus de Timor, Commander of the Temple at Barbastro, for five hundred *solidi* in 1275, he testified that Ali was not free, nor stolen from allied territory, nor insane or bed-ridden, and that he was the son of Muslim parents.⁷⁵

Royal officials kept a sharp eye for contraband Muslims and confiscations were not infrequent. In 1278 the court official “G.” Molinerii was ordered by Pere II to verify that three Muslims recently sold in Lleida had indeed been captured on a raid on Liria as the vendor attested.⁷⁶ In 1287 the *vicarius* of Vilafranca impounded a black slave named Sayt from Lupo Eximini de Biota because the owner could not produce the *albaranum*, and in 1295 Petrus de Libiano confiscated a slave named Abraham, ostensibly of Mallorcan origin, from Eximinus de Palacio of Barcelona for the

⁷⁰ ACA, C., reg. 58, f. 96v (16 June 1285). ⁷¹ ACA, C., reg. 50, f. 125v (29 July 1281).

⁷² “Et trado albaranum . . .”: ACA, C., reg. 55, f. 10v (21 August 1292).

⁷³ Alfons II’s arbitrary enslavement of Muslim Minorca in 1287 generated hundreds of *albarana* (see ACA, C., reg. 70, ff. 41v–76v). Minorcan Muslims who paid seven and a half *duplas* were freed and given the right to move and live where they chose (“eundo uel habitando ubicumque uoluerit”), the rest were sold: ACA, C., reg. 70, f. 59v (7 March 1287).

⁷⁴ ACA, C., Pere II, pergs., carp. 116, no. 406 (23 March 1284). A similar contract of 1286 also guaranteed that the slave was free of epilepsy (“morbum caducum”): ACA, C., Alfons II, pergs., carp. 119, no. 72 (14 May 1286).

⁷⁵ ACA, C., Jaume I, pergs., carp. 105, no. 2237 (27 July 1275).

⁷⁶ ACA, C., reg. 41, f. 7r (31 October 1278).

Mudéjar ethnicity and Christian society

same reason.⁷⁷ In 1278 Carminus de Peramola, the “vicarius Tarrachonensis et Campi,” (of Tarragona and its hinterland) seized two Muslims belonging to Rogerius de Leonia, squire (*scuttifer*) of Pere II. The king ordered their return only if Rogerius could produce an *albaranum*.⁷⁸ Eight years later, the *vicarius* of Tarragona seized an enslaved Muslim woman from Mercedarius de Villa Sicca because it was rumored that she was not a legitimate captive. Alfons II ordered his official to return the slave if Mercedarius had documentation proving the provenance of the slave and that the *quinta* had been paid.⁷⁹

Escaping slaves

Not surprisingly, many slaves were discontented with a life of bondage, and some tried to escape. Indeed, one of the circumstances in which the slavery dynamic fostered Islamic solidarity was in the case of escapees, who were sometimes aided by their free co-religionists. In 1280, for example, the Temple Commander of Huesca complained that certain Muslims of Almodévar had freed slaves of the Order who had been held in a corral, and in 1285 an order went out to apprehend six fugitive Muslim slaves (including one woman) who had escaped from their owners in Barcelona.⁸⁰ When the “APB” was repeated a few days later three *mudéjares*, Albohaya, Cassi, and Sahat Senetis, had been implicated in the escape.⁸¹ In another case Jaume II ordered an investigation into the allegation that certain Muslims (free or slave is not clear) of Boxeina had helped a slave of the royal household to escape in 1299.⁸²

Muslim communities presented an obvious place of refuge for fugitive Muslim slaves, given the anonymity which they afforded, and the reduced likelihood that accessories to the escape would themselves be implicated. Hence, in 1282 the *aljama* of Aranda was ordered to hand over an unnamed Muslim who had fled from his owner, Petrus Deneni.⁸³ Even the earliest law codes and surrender agreements recognized the propensity of local Muslims to abet fugitives, and frequently stated (and limited) Christian authorities’ rights of search. The early *fuero* of Jaca, for instance, allowed owners to search for their slaves in no more than three Muslim homes, and warned them not to harass lawful *mudéjares*.⁸⁴ By the middle of the thirteenth century Muslim and Christian rights in this respect seem

⁷⁷ ACA, C., reg. 70, f. 74r–v, (20 April 1287); ACA, C., reg. 101, ff. 148v–149r (15 June 1295).

⁷⁸ ACA, C., reg. 41, f. 1r (12 October 1278). ⁷⁹ ACA, C., reg. 70, f. 25v (5 October 1286).

⁸⁰ ACA, C., reg. 48, f. 117r (20 July 1280).

⁸¹ ACA, C., reg. 57, f. 196r (10 September 1285); ACA, C., reg. 57, f. 189r (2 September 1285).

⁸² ACA, C., reg. 113, f. 130v (12 January 1299). ⁸³ ACA, C., reg. 59, f. 28v (13 July 1282).

⁸⁴ Molho, *El fuero de Jaca*, pp. 161–162, doc. A: 313.

Muslims under Christian rule

to have diminished considerably: both the *Fori aragonum* and the *Vidal mayor* conceded more or less unlimited rights of search (including in the houses of *infanzones*) to the owners of renegade slaves.⁸⁵ Still, while the late thirteenth-century *Costums* of Tortosa noted that when the *veguer* suspected that a slave was hiding in a Christian's house he could search the house in the company of any Christian townsmen, if a Muslim householder resisted search, the *alcaydus* could only enter in the company of two Christian and two Muslim witnesses.⁸⁶

While fleeing, some slaves took trajectories which were obviously aimed at escaping Christian-dominated lands altogether, but others escaped to sites within the Crown, a detail which reveals the degree to which Muslims regarded their presence in Christian lands as a normative situation. Thus, when Azmet of Barcelona decided to flee, apparently unhappy with his sale to a new owner, he took up residence in Castelló de la Plana in the Kingdom of Valencia, while Sahit Abularri, who fled from Lleida, was also reported to have gone to that kingdom.⁸⁷ The anonymous slave of Bernardus de Quadris of Barcelona was apprehended in Flix and may also have been heading for Valencia.⁸⁸ Granted, these Muslims may have gone towards that kingdom as a step towards eventual escape to the *dār al-Islām*, but there is no reason to assume this. Valencia itself, with a cohesive, vibrant, and numerous Muslim community, would have been an attractive enough option for resettlement. In any case, for indigenous Muslims, freedom was not a concept that was automatically associated with fleeing Christendom. Thus, Maria, a captive in Valencia, fled to Alfántega in Aragon in 1279, and when four slaves escaped the royal household in Castile, they made for lands of the Crown, rather than southwards towards Muslim Granada.⁸⁹ In another case, in 1294 a Muslim of Benazir (near Gandia in Valencia), belonging to the *miles* Ja[cobus?] Castellano, was arrested in Mallén in Aragon, and was ordered to be repatriated under guard.⁹⁰ There are episodes of slaves fleeing from Navarre to Aragon, and of fugitive Aragonese *mudéjares* crossing the Navarrese frontier.⁹¹ Some escapees who remained in the lands of

⁸⁵ *Vidal*, II, p. 476, sec. VIII: 18; *Fori*, p. 104; cf. *Fuero*, p. 188, sec. VIII: 320.

⁸⁶ Massip, *Costums de Tortosa*, pp. 298–299, sec. 6.1.2.

⁸⁷ ACA, C., reg. 89, f. 53r (10 January 1295); ACA, C., reg. 60, f. 63r (29 March 1283).

⁸⁸ ACA, C., reg. 59, f. 193r (10 January 1283).

⁸⁹ ACA, C., reg. 42, f. 145r (12 October 1279); ACA, C., reg. 88, f. 215r (22 May 1294).

⁹⁰ ACA, C., reg. 88, f. 190r (4 April 1294).

⁹¹ In 1304 “Mahomat filius de Mahorin et Homariel filius de Çalema Dalhaig” of Quart (near Huesca) fled to Navarre after they had killed a boy who was the son of a Christian *miles* and the grandson or nephew of Ennegus Luppi de Jassa, *merinus* of Huesca and former *baiulus generalis*: ACA, C., reg. 132, ff. 167v–168r (16 May 1304), cit. BMA, p. 309, doc. 850; see also p. 383. The extradition order refers to “Homariel, the Muslim, who used to live in Quart, who along

Mudéjar ethnicity and Christian society

the Crown were able to live as free Muslims, while others sheltered in the employment of Christians. This seems to have been the case with a Muslim, Ayça, and Jacobus, the *baptizatus*, whom Guillermus Molinarii of Lleida was maintaining in Torres, but who belonged to his fellow townsman Petrus de Tries. When caught, Guillermus promised to return the slaves or forfeit his goods.⁹²

Muslim slave owners

Slavery as a institution was not strictly sectarian in character, and just as Christians occasionally found themselves victims of the slave dynamic, Muslims sometimes acted as agents of the marginalization of their fellows. Foreign Muslims certainly owned slaves, as shown by a *guidaticum* of 1291 which gave some visiting Muslims, Mahomet Abençabet and his wife, permission to take their slave back to Granada with them.⁹³ Some forty years earlier Petrus Forner of Tarragona, acting as the *procurator* of “Alcayt Dafer,” promised to convey the Muslim, along with his wife, daughters, and four slaves (a male named Solemam and three unnamed women) safely to Morocco.⁹⁴ The *albarana* of the enslaved Muslims of Minorca (who had been tributaries of the monarchs) also reveal that family groups sometimes included Muslim slaves. Hence when Çalema and his niece, Safra, were sold off, the job-lot included their own slave (“captivus eius”), Mustach.⁹⁵ Muslim mercenaries also frequently received captives as gifts; thus, in 1287 two *jeneti*, Jucef Abenjacop and Chafim, were given two black slaves and bought four more.⁹⁶ There is no reason to assume that these purchases were made with the intention of manumitting the slaves in question.

Slavery was an institution deeply ingrained in Islamic society, and given that there was no legal technicality which prohibited it in Christian Aragon, one can assume that *mudéjares* also owned Muslim slaves. For

with some others killed, it is claimed, a certain boy, the grandson of the said Eneggus Luppi . . .” (“Homariel, Sarracenum, qui consuevit morari in Quart qui una cum aliis interfecit, ut dicitur, quondam puerum nepotem dicti Eneci Lupi . . .”: ACA, C., reg. 132, f. 229v (23 June 1304), cit.: *ibid.*, p. 315, doc. 870.) The accused were extradited two months later: ACA, C., reg. 235, f. 97v (3 July 1304), cit. *ibid.*, p. 309, doc. 882.

⁹² ACA, C., Pere II, pergs., carp. 110, no. 141 (16 March 1279).

⁹³ ACA, C., reg. 90, f. 123v (30 October 1291).

⁹⁴ ACA, C., Jaume I, pergs., carp. 90, no. 1327 (18 April 1253).

⁹⁵ ACA, C., reg. 70, f. 60v (6 March 1287).

⁹⁶ ACA, C., reg. 70, f. 49v (20 February 1287). For other examples of *jeneti* slave owners, see ACA, C., reg. 70, f. 60r (7 March 1287), and C., reg. 70, f. 49v (20 February 1287). *Jenetus* (pl. *jeneti*, Cat. *genet*) derives from the Berber “Banī Zanāta” and referred to Granadan and North African light cavalry: J. M. Alcover, *Diccionari català-valencià-balear* (Palma de Mallorca: Moll, 1930–1969), s.v. *genet*.

Muslims under Christian rule

its part, the *shari'a* prohibits only the enslavement of free Muslims and the ownership of Islamic slaves by non-Muslims. Direct references to this phenomenon are few, but disputes between Muslim slaves and masters would rarely make their way into Christian royal courts. Nonetheless there are telling indications. For example, Maria, the fugitive in Alfántega referred to above, was sent back to her owner because she could not be considered free “according to the law of the Muslims” (“secundam azunam Sarracenorum”) until her ransom had been paid, a clause which reveals that *mudéjares* had standing legislation which dealt with the manumission of slaves.⁹⁷ Further, in 1286 Abrahim fili[us] Abrahim Ayada, a Muslim of Calatayud, was remitted at the behest of the king’s uncle of the *homicidium* with which he had been charged for the death of a slave who was apparently his.⁹⁸ Likewise, an order to Arnaldus de Manetone to return a *Sarracena* whom he had stolen from some Muslims of Las Cuevas (Valencia) suggests that the woman in question was a slave.⁹⁹

Muslims were also involved in the illicit slave trade, sometimes cooperating with Christians to kidnap and sell free subjects. Hence, in 1293 a group of Muslims of Almonacid were remanded for the alleged snatching of a Muslim boy, and in the following year a group of Muslim women in Tarazona abducted a free *Sarracena* of the same town and sold her into slavery.¹⁰⁰ Muslims and Christians even colluded in abducting Christian victims. For example, when Berenguer Jonerii kidnaped a Christian boy of Tortosa to sell as a slave, he carried him to nearby Tivissa, where the local *alaminus* performed a circumcision in order to make the boy appear to be Muslim.¹⁰¹ Nor were Jews safe from abduction; in 1291 Rodericus Egidii, “P.” Marari and Mahomet filiu[s] de Abdalla of Borja were accused of abducting Jacuel, a Jew of the same town, and selling him as a slave in Navarre – an act possibly rooted in the town’s credit-related sectarian tensions.¹⁰²

Manumission

Whether voluntary or forced, slavery was not necessarily a permanent condition, and both convicts and captives could manumit themselves by

⁹⁷ ACA, C., reg. 42, f. 145r (12 October 1279). ⁹⁸ ACA, C., reg. 64, f. 53r (31 April 1286).

⁹⁹ ACA, C., reg. 96, f. 86v (21 October 1293).

¹⁰⁰ ACA, C., reg. 89, f. 40v (25 November 1294); ACA, C., reg. 89, f. 30v (5 November 1294); ACA, C., reg. 89, f. 35v (16 November 1294), cit. Lourie, “Anatomy of Ambivalence,” p. 69, with other examples.

¹⁰¹ ACA, C., reg. 107, ff. 224v–225r and reg. 264, f. 96r (18 March 1297), ed. and trans. Catlos, “Four Kidnappings,” pp. 176 and 179, doc. 4.

¹⁰² ACA, C., reg. 90, f. 69v (10 October 1292); see p. 202.

the payment of a ransom. Thus in 1293 Jaume II gave Jacobus de Vigriese of Zaragoza “Abderramen” in lieu of 500 *solidi* which the king owed him, the slave, who had been convicted of unnamed crimes (“excessibus”), was to be freed once he had worked off the king’s debt.¹⁰³ Sometimes, however, owners were less than scrupulous in respecting contractual agreements for manumission. Hence, Aliffa of Huesca, who claimed she had earned her emancipation (and had the certificate to prove it), appealed to the royal court when her master Petrus Salvage alleged that she was still his possession.¹⁰⁴ Ecclesiastical orders, including the Mercedarians and the Holy Redeemer, as well as Muslim and Christian individuals, acted as agents for the ransom and repatriation of captives on both sides of the ecumenical frontier.¹⁰⁵ Prisoners were taken back and forth across the border by Muslim *jeneti*, Jewish diplomats, and private or officially appointed agents. As early as 1178, a certain Bernardus Marcus had been licensed to effect prisoner exchanges in Muslim lands, specifically Bougie and Ceuta, and in 1277 two brothers from Tangiers, Ali and Mahomet Abtocon, were granted a license to work with a certain Jaume F. in expediting such redemptions.¹⁰⁶ The two Muslims were given permission to travel freely within the Crown and live with their families in Valencia city (“infra muros”) – a privilege which native *mudéjares* did not enjoy.¹⁰⁷ In 1285, a P[etrus?] de Riuiipullo was appointed as chief *exea* (redemptor) for both Christian and Muslim prisoners, and reappointed to the post five years later, while later in the century, the Jewish official and diplomat Abraham Abenamies regularly negotiated the repatriation of Granadan prisoners.¹⁰⁸

Most remarkably, it was the slaves themselves who were most frequently responsible for raising their ransom money, through either begging or saving. Hence, Mahomet and a certain free companion from Ariza were picked up and arbitrarily jailed by local authorities in Valencia in 1301,

¹⁰³ ACA, C., reg. 96, f. 113v (19 November 1293); Abderramen was probably the “Abderrame” who had assaulted the town’s *merinus* (see p. 223).

¹⁰⁴ ACA, C., reg. 80, ff. 96v–97r (13 November 1289).

¹⁰⁵ As I remarked in Part One (p. 80), informal institutions had existed in Christian lands at least from the earliest years of the conquest. Founded in Barcelona, the Mercedarians were recognized and received grants from Jaume I in 1218: Ramos *El cautiverio en la Corona de Aragón*, p. 163. The short-lived Order of the Holy Redeemer at Teruel, established by permission of Alfons I in 1188, practiced both war and redemption (*ibid.*, p. 159). For the history of the Mercedarians, see J. W. Brodman, *Ransoming Captives in Crusader Spain: The Order of Merced on the Christian–Islamic Frontier* (Philadelphia: University of Pennsylvania Press, 1986).

¹⁰⁶ ACB, CR, no. 52–2 (November 1178), cit. J. Oliveras Caminal, *Cartes reales (siglos XIII–XV)*. *Catálogo* (Barcelona: Altes, 1946), p. 22, doc. 3.

¹⁰⁷ ACA, C., reg. 40, f. 4r (9 August 1277).

¹⁰⁸ ACA, C., reg. 81, f. 108v (26 November 1290); ACA, C., reg. 81, f. 10r (16 January 1289); ACA, C., reg. 82, f. 3v (12 January 1290); ACA, C., reg. 82, f. 3v (15 January 1290).

after they had been found circulating around the *aljamas* of the kingdom drumming up money for Mahomet's manumission.¹⁰⁹ Mahomet's owner, Petrus de Vera, complained about the detention and Jaume II ordered the Muslims to be released on the grounds that begging for alms was not a crime. At times freedom removed Muslims from Islamic society, when slaves opted to convert to Christianity or were manumitted by the last will and testament of their owners. For example, in 1197 Sibilia de Bleta left her slave Suffram to the Hospital "that they might quickly baptize her and set her free" ("faciant baptizare cito et fiat libera"). To her daughter she left two male slaves who were not to be sold, but baptized and made to serve her through her life, presumably to be freed when the daughter died.¹¹⁰ In a similar case of 1278, "Guillermus" left his *Sarracena* in his children's service for ten years, after which she was to be baptized and freed.¹¹¹

In the thirteenth-century Crown, as throughout the Mediterranean, the institution of slavery had a character distinct from that which it took in the early modern West and resembled, rather, a Classical or, indeed, Islamic model.¹¹² Slaves were not a dispossessed caste of non-persons condemned by virtue of birth or race to live a life of misery and physical drudgery, and they did not present a homogenous group in terms of provenance or appearance. *Albarana* group Muslim slaves into three categories: *albi* ("white", which included light-skinned North Africans), *lauri* (which may have referred to mulattos or darker-skinned North Africans or Turkic peoples), and *nigri* ("black"), qualifications which seem to be simply descriptive rather than indicative of a concept of race based on color.¹¹³ Unlike the Islamic world which differentiated conceptually between slaves of Sub-Saharan, European, and Turkic provenance (*ʿabīd*, sing. *ʿabd*; *ṣaqāliba*, sing. *ṣaqḷab*; and *mamālik*, sing. *mamlūk*), all Muslim slaves were known interchangeably as *mancipi*, *captivi*, or *Sarraceni* in the Crown.¹¹⁴ While the majority were probably Andalusi or Maghribi in origin, a considerable number were native Muslims, who would have been physically indistinguishable from the population at large. *Nigri* captives were also numerous in the Crown, and while these individuals would indeed have been readily identifiable as being of foreign origin and may have suffered regular chauvinistic abuse as a result, they were not excluded

¹⁰⁹ ACA, C., reg. 124, f. 132r (7 May 1301), cit. BMA, p. 260, doc. 709.

¹¹⁰ ACA, OM, GP, pergs., arm. 28, carp. 150, no. 274 (1197).

¹¹¹ ACA, OM, GP, pergs., arm. 28, carp. 147, no. 205 (11 September 1278).

¹¹² See S. McKee, "Households in Fourteenth-Century Venetian Crete," *Speculum* 70 (1995): 53–65.

¹¹³ E.g. ACA, C., reg. 55, f. 7v (January 1282).

¹¹⁴ *Sarracenus/a* was simply an adjective for "Muslim."

Mudéjar ethnicity and Christian society

from avenues of integration which were open to other slaves, such as conversion and manumission. In fact, black slaves were prized as human *objets* in court circles for their exotic appearance, and African women may have exercised special attraction as sexual objects.¹¹⁵ A rare example of color-specific slave acquisition occurred in October 1294 when, after a successful round of raiding, Jaume II requested that four captive women be retained for his use (“ad opus nostrum”). The king specifically requested two *albae* and two *nigrae*, aged between fifteen and twenty-five years, and in the event that there were no such candidates, the “youngest and most suitable” (“iuniories et abiliores”) were to be reserved.¹¹⁶ Aside from such exceptional documents, the small sample of slaves which is revealed in the archives, coupled with the wide range of variables at play, makes it impossible to generalize regarding any relation between skin color, perceived value, and sale price.¹¹⁷

Ambiguities of slave status

Given that the Muslim slave population was not homogenous, Islam-based solidarity among slaves should not be assumed; many of the newcomers may not have been Arabic speakers, or may have been marginalized by mainstream *mudéjar* society on account of ethnic or racial prejudices. In fact, the slave population of the Crown was not exclusively Muslim, but included foreign and native Jews and Eastern Christians, as well as – it seems – local Christians. Among Christians, the line between servant and slave was not always clear. The *Costums de Tortosa*, for example, refer to someone who willingly enters into the paid service of another as a “servant” (*servent*), yet in some ordinances, groups these together with other legal minors, including captives and slaves.¹¹⁸ Slaves of the Crown did not constitute the basic labor force of the agrarian economy but, rather, filled a whole range of roles from laborer and servant on up. The value of slaves with professional knowledge was recognized, and they frequently continued to practice the crafts in which they had been trained. Hence, an ordinance directed at the barbers of Lleida, prohibiting them from working on Sundays, explicitly noted that Christian as well as Jewish

¹¹⁵ For black slaves in royal courts, see N. Silleras Fernández, “*Nigra sum sed formosa*: Black Slaves and Exotica in the Court of a Fourteenth-Century Aragonese Queen,” *Medieval Encounters*, in press.

¹¹⁶ ACA, C., reg. 262, f. 159r (8 October 1294).

¹¹⁷ For sample slave prices see C.-E. Dufourcq, “Prix et niveaux de vie dans les pays catalans et maghrébins à la fin du XIII^e et au début du XV^e siècles,” *Le Moyen Age* 3-4 (1965): 475-520.

¹¹⁸ Massip, *Costums de Tortosa*, pp. 88, sec. 2.4.11 and 300, sec. 6.1.8.

and Muslim *barbetonsores*, “whether free or captive” (“tam liberos quam captivos”), were to be included in the prohibition.¹¹⁹ Royal authorities kept a lookout for captives whose skills were in short supply, whether they were craftsmen or specialists of other types. For example, among the prisoners taken in October 1294 (noted above), Jaume II also hoped to find two chess instructors (“magistri axic”).

The ability of slaves to practice trades, contract debts, and earn money confirms that they owned personal property and managed their own affairs to a great extent. Slaves could save money, and indeed were expected to do so if they hoped to buy their manumission. Muslim slaves in the Balearics who bought their liberty by entering into a share-cropping contract not infrequently renewed their agreements as ‘free’ farmers after they had earned their freedom.¹²⁰ In circumstances such as this, that which is described in the documents as slavery resembles rather a *remença*, the arrangement which came to characterize Christian servility in rural Catalonia. Formally constituted by the 1283 *Corts* of Barcelona, this obligatory redemption payment for Christian serfs had been established from at least the beginning of that century.¹²¹ Slavery was essentially a matter of juridical status, and did not entirely deny the bonded individuals rights as legal “persons.” Thus, slaves who contested their status or felt that their contractual agreements had not been fulfilled could appeal to the royal court and launch civil suits against their owners. It was essentially a temporary status which one could enter into and be discharged from with comparatively little effect on social prestige – a characteristic which sets it further apart from the early modern concept of the slave. The case of Sibilia, a *baptizata* of Barcelona, is an example of the transitory nature of slavery at this time. In 1293, when she filed suit in the royal courts against her owner, she had already sold and redeemed herself once before. This time her debts had compelled her to enter a second five-year contract of enslavement, but her unscrupulous new owner sold her before her term was up.¹²²

Through the range of roles they played and the degree to which they were able to participate, Muslim slaves from the *dār al-Islām* helped to refresh *mudéjar* society, countering trends which might have isolated it from the Muslim world at large. The occasional arrival of new Muslim slaves from other parts of Christendom (such as Castile, Portugal, and France) would have further broadened the influences to which *mudéjar*

¹¹⁹ Huici and Desamparados, *Documentos de Jaime I de Aragón*, III, p. 259, doc. 782 (1257).

¹²⁰ Lourie, “Free Moslems in the Balearics,” pp. 629–630.

¹²¹ See Freedman, *The Origins of Peasant Servitude in Medieval Catalonia*, pp. 119–135.

¹²² ACA, C., reg. 98, f. 127r (6 June 1293), ed. Catlos, “Esclavo o ciudadano,” pp. 164–165, doc. 6.

society was exposed.¹²³ By practicing trades, socializing, doing business, escaping, emancipating themselves, and marrying, these Muslims – drawn from all economic classes and from across the Maghrib and Granada – helped to maintain language, belief, and culture, and would have mitigated the effects of social and cultural isolation on the *mudéjares* of the Crown. In fact, there was little to distinguish them from run-of-the-mill, voluntary Muslim immigrants, and freed foreigners sometimes stayed on willingly as settlers. For example, in 1257 Jaume I manumitted a number of Muslim slave families in Huesca, giving them permission to live as free members of the town's *aljama*, while a document dated six years later refers to a slave in Barcelona who, having bought his freedom for ten *solidi*, was given permission to remain in the city as a free subject or move elsewhere as he wished.¹²⁴ The fact that ordinary *mudéjares* were vulnerable to legal and illegal enslavement would have countered the stigmatization of former slaves by their free peers and facilitated their integration; indeed, on the basis of appearance, occupation, and even wealth, it would have been difficult to distinguish between a slave and a freeman in many cases. The trend of *mudéjar* acculturation to Islamic influences would have been further facilitated in cases where Muslim families or parts thereof were bought and sold *en bloc*, which can be seen, for example, in an *albaranum* covering a certain black (*niger*) Muslim and “his little daughter” (“*filia sua parua*”) and two white (*albi*) Muslims, husband and wife, which was issued at Murcia in 1297.¹²⁵ Another *albaranum* dating from 1287 refers to fifteen Muslims, including several married couples (two apparently polygamous), and their children.¹²⁶ Alfons II's mass enslavement and deportation of the Muslim population of Minorca in that year must have resulted in a dramatic rejuvenation of local Islamic culture in the Crown thanks to the sale and resettlement of cohesive families.¹²⁷

¹²³ For example, in 1288 Dominicus Petri de Ventosa, a merchant of Albarracín, brought two Muslim slaves from Portugal to buyers in Teruel: ACA, C., reg. 89, f. 98v (14 January 1288). In 1294, Jaume II asked the Seneschal of Carcassonne to respect the truce made between Jaume I and the kings of France and Jerusalem by returning a *baptizata* named Nichola who had fled Rambald de Faro, a *miles* of Girona. The seneschal had refused on the grounds that a Muslim belonging to his subject, Geraldus de Fitor, had fled to Catalonia, where he apparently had converted and been given asylum, and that Nichola represented a fair exchange for his loss: ACA, C., reg. 97, f. 187v (8 January 1294).

¹²⁴ Huici, *Documentos de Jaime I de Aragón*, III, pp. 270–271, doc. 797 (1257); M. T. Ferrer i Mallol, “Els redemptors de captius: Mostolafs, eixees o alfaquecs (segles XII–XIII),” *Medievalia* 9 (1990): 95.

¹²⁵ ACA, C., reg. 340, f. 74r (25 June 1296).

¹²⁶ ACA, C., reg. 70, f. 48r (23 February 1287).

¹²⁷ See Lourie, “Anatomy of Ambivalence,” pp. 2–6.

Muslims under Christian rule

Social influence of “patricians” and slaves

In sum, the classes at the extremes of the *mudéjar* social spectrum each acted to integrate Muslims as a group in the general society of the Crown, while each contributed to the maintenance of Islamic identity under Christian rule. The “patricians” may not have been the *khaṣṣa* of the March, and they lacked the resources and prestige to maintain courts and patronize higher Islamic culture, but they undoubtedly helped sustain Islamic styles in building and decoration and in popular arts and entertainment, as well as providing home-grown social leadership. Slaves who came from Islamic lands contributed language and learning to the *mudéjar* society of the Ebro, renovating and refreshing its Arabo-Islamic character, whether or not integration was uniformly welcomed by native Muslims. Together with foreign Muslim and *mudéjar* trade in the Ebro valley, the slave dynamic ensured that Aragonese and Catalan *mudéjar* society benefited from a “convection current” of emigration and travel towards Islamic lands and immigration (free and forced) from the *dār al-Islām*.¹²⁸

In addition, foreign slaves and enslaved *mudéjares* would have been exposed to Christian customs and culture through their domestic roles in the households of their owners. By virtue of these relationships, they would have been in a position to act as conduits for “Occidental” influence on *mudéjar* society, both through their continued contact with free Muslims and upon emancipation. Likewise, the “patrician” class would have undoubtedly been attracted to the outward manifestations of politically superior Christian culture, and as trend-setters within their communities, would have helped establish the acceptability of Occidental styles and customs. Thus, the broad diversity of *mudéjar* society ensured exposure to and interaction with Christian society on a number of different levels, and participation by *mudéjares* in social groups which were not exclusively Muslim in membership. This contributed to the potential for acculturation and mutual familiarization, encouraged the propagation of informal cross-confessional networks on all levels of *mudéjar* society, and presented Christian society with a complex and varied image of the Islamic minority.

¹²⁸ Muslim movement across and around the Western Mediterranean is attested to by licenses granted by Jaume I in 1258 to a Genoese and a Toulousain merchant, in one case, and a Jew of Tortosa, in another, to convey Muslims from Castile, Denia, and the lands of al-Azraq (in Valencia) to North Africa, or wherever else they desired: Burns, *Foundations of Crusader Valencia*, II, pp. 135, docs. 109 and 136, doc. 111. Twenty-one years later, in 1279, Pere II granted licenses to Ser Francesc of Barcelona to carry Muslims from the port of Valencia, and for a further shipment of Muslims emigrating from Valencia “to the land of the Muslims in Spain” (“apud terram Sarracenorum in Ispania”): Moxó, *La Casa de Luna*, p. 327, doc. 8; ACA, C., reg. 44, f. 150v (27 July 1279).

Mudéjar ethnicity and Christian society

LANGUAGE AND RELIGION AS MECHANISMS OF INTEGRATION AND EXCLUSION

Adherence to the Qur'ān and use of Arabic may be said to broadly characterize Muslim society, and while Arabic and Islam lost their social and administrative prestige under the Christians, they continued to define *mudéjar* society.¹²⁹ But, although religion was undoubtedly the single most important component of Muslim identity in the Christian Ebro, it was not the only factor. Adherence to Islam was as an “immanent” cause of *mudéjar* identity, but it was a sufficient rather than a necessary one, and it was not exclusive; thus, even after *mudéjares* were forced to abandon Islam, they continued to constitute a distinct ethnic group, the “Moriscos.” Indeed, Christianity also shaped *mudéjar* ethnicity, exerting a considerable pressure directly, through a declared commitment to mission, and indirectly, as its rituals and symbols came to imbue essentially secular activities. Further, the Church's efforts to bring Muslims into its flock undoubtedly provoked reaction, at least when they were perceived as a real threat. Conversion, like revolution, often attracts individuals who feel marginalized, unrecognized, or oppressed by the current regime – hence Roman slaves and merchants were drawn to Christianity, and the desperate poor of modern Cairo's slums turn to Islamic “fundamentalism.” Thus, determining which Muslims were most tempted to abandon Islam will cast light on the degree of social cohesion enjoyed by *mudéjares*, provide an idea of which groups within their society felt marginalized, and indicate the extent to which Muslims' resistance to pressure to convert shaped their culture.

Since the nineteenth century, language has been considered the primary defining characteristic of ethnic identity. Although this was not the case in the Middle Ages, the persistence of Arabic and the use of Western languages were both important factors in shaping *mudéjar* ethnicity. This was an era characterized by the use of both “meta-ethnic” languages (such as Latin, Hebrew, and Arabic) and amorphous, incipiently literary regional vernaculars (e.g. “Romance,” Catalan, and Aragonese), each of which contributed to the character of Muslim-Christian interaction in the thirteenth-century Ebro. There can be no doubt that Aragonese and Catalan *mudéjares* continued to speak and write in Arabic through the thirteenth century, both on a popular and educated level.¹³⁰

¹²⁹ Arabic was not the vernacular in every Islamic society, but it was uniformly current among the learned and pious.

¹³⁰ Boswell's contention that Aragonese Muslims of the mid-fourteenth century wrote little or no Arabic (*The Royal Treasure*, pp. 381–384) is not supported by later documentary evidence and, in any case, would not necessarily imply a corresponding disappearance of the spoken language.

Muslims under Christian rule

Works such as the anti-Jewish polemic work produced by a Muslim of Huesca in the 1360s confirm that “elevated” Arabic survived among Aragonese *mudéjares*.¹³¹ On the other hand, widespread use of workaday Arabic is seen in the Muslims’ *scribania*, which was separate from that of the Christians, and served a crucial role in maintaining socio-cultural stability.

The use of Arabic in mudéjar administration

Unlike other *aljama* posts, that of the *scriptor* was not farmed out to Christians, since its practice would have demanded knowledge not only of Arabic but of local Islamic diplomatic and legal norms, as *mudéjar scribania* produced documents both in Arabic and in Latin. For example, when Ali, the *alfaquinus* of Calatayud, received his confirmation of office in 1278 it included the licence to compose and/or translate (*facere*) all Arabic letters (“cartas Sarracenicās”). Three days earlier Foaçli fili[us] de Pharach Avinlatron had been confirmed as Muslim *scriptor* of Zaragoza with the same responsibilities.¹³² With the imposition of Christian rule and judicial procedures, Arabic documents acquired a new importance and Islamic officials maintained, perhaps for the first time, formal archives of contracts and receipts. Although no surviving Muslim archives have been found in the Ebro region, this does not mean that they did not exist; with the eventual disappearance of the *mudéjares* there was simply no reason to preserve them. Thus the few Arabic copies of documents which do remain describe events that had or took on relevance to Christian institutions and were thus preserved.¹³³ Those which record transactions between Christians and Muslims represent the copies which would have originally been kept by the Muslim party, while others, which concern only Muslims, tend to refer to lands which eventually came under Christian ownership. In addition to the single-language charters, a handful of twelfth-century documents record land transactions between Muslims and Christians in Latin with interlinear Arabic translation, a genre which was undoubtedly common, but which would have been obscured by the later practice of

For documents see F. J. García Marco, *Comunidades mudéjares de la comarca de Calatayud en el siglo XV* (Calatayud: CSIC, 1993), and García, “Escrituras árabes pertenecientes al archivo de Ntra Sra del Pilar de Zaragoza.”

¹³¹ Nirenberg, *Communities of Violence*, p. 196.

¹³² ACA, C., reg. 40, f. 162v (4 October 1278); ACA, C., reg. 40, f. 166r (1 October 1278), ed. Canellas, *Colección diplomática del concejo de Zaragoza*, II, p. 84, doc. 59.

¹³³ See, for example, Durán, *Colección diplomática de la catedral de Huesca*, I, pp. 380–381, doc. 381 (1183) for what was probably a Muslim-owned copy of a charter.

recopying charters for cartularies.¹³⁴ Finally, references to Arabic documents are occasionally encountered in Latin charters, such as a lease of some lands by the Hospital of Calatayud to Maomat Abenferrue and his brother Abdella which confirms conditions of an earlier agreement which had been recorded in an Arabic document (“*illa carta Morisca*”).¹³⁵ But later documents were also written in the *mudéjares’* native language, like the agreement (*convencio*) which two Muslim parties in Huesca came into dispute over in 1310, and which had been drawn up in Arabic (“in Arabico facta”).¹³⁶ Generally, aside from the fact that Arabic-language documents tended to eventually be lost, the lack of bilingual and Arabic-language documents for the thirteenth century is indicative of *mudéjar* confidence with Latin charters, rather than a decline in proficiency in Arabic.

Not only did Muslim officials keep records of Arabic documents, but according to Aragonese law, *mudéjar* notaries were the only ones empowered to draw up certain contracts between Christian and Muslim parties.¹³⁷ Although their archives have not survived, many documents refer to the body of records which *aljamas* were required to maintain. For example, in the course of a dispute over the taxes of the Muslim community of Ricla, Pere II ordered the local *justicia* to compel the *alfaquinus* of the town to make public all of the documents signed under his authority which bore on the matter.¹³⁸ Normally, *aljama* officials were required to bring their books periodically to the royal court for inspection as in 1284 when, among broad allegations of fraud (*fraudis*), the most important Jewish and Muslim communities of the Crown were ordered to furnish their accounts for the previous fifteen years.¹³⁹ The following October a further order was sent to all the *alamini* of all the *aljamas* of Valencia north of the Xúquer River, and to all those in the dioceses of Zaragoza, Lleida, Huesca, Tortosa and Tarazona. They were each to despatch two *procuradores* bearing written credentials to the *corts* which were to be held that September. Full accounts of the *aljamas* were to be rendered for the last five years, including complete information regarding taxation, and detailed reports of all transfers or sales of property and inheritances for all of the Muslims who were living on or had moved off

¹³⁴ Of a series of such documents from Tudela no less than three involve the same Muslim family, the Alacerris, while four involve the same Christian party, Eiz de Fitero: Fuentes, *Catálogo de los archivos eclesiásticos de Tudela*, pp. 8, doc. 27, 14, doc. 46, 22, doc. 73 and 74, 23, doc. 77, and 27, doc. 92. See also Bosch, “Los documentos árabes y hebreos de Aragón y Navarra.”

¹³⁵ AHN, Cod. 650b, no. 424 (December 1231).

¹³⁶ ACA, C., reg. 289, f. 161v (26 August 1310), cit. BMA, p. 458, doc. 1293.

¹³⁷ *Fueros*, p. 59, sec. 121.

¹³⁸ ACA, C., reg. 46, f. 187r (8 May 1284). ¹³⁹ ACA, C., reg. 46, f. 216r (3 July 1284).

Muslims under Christian rule

of royal lands, and a list of the names of all of their *franci*. Further, the *alcadis* and *zalmedinas* were to furnish copies of all the letters which they had dictated and all the judgments, civil and criminal, which they had promulgated.¹⁴⁰

Although it is not clear whether such tax archives as were kept were in Latin or Arabic, in 1280 an order regarding liberty of salt purchase was written out in Arabic by Jahye, *procurator* of the *aljama* of Naval.¹⁴¹ In any event, it is safe to assume that copies of all documents (Arabic and Latin, tax-related and otherwise) were kept, given the proclivity of Muslims to avail to royal courts in the course of disputes, and the role which such documentation played in Christian legal process. For example, written instruments (“*instrumenta seu cartas*”) were the standard evidence in the drawn-out litigation between the Christians and Muslims of Borja and their Jewish creditors.¹⁴² Individual Muslims also came to understand the value of keeping documents, as the various orders to inspect individual charters of *franquitas* reveal.¹⁴³ The maintenance of Arabic archives and records would have constituted an important survival tool for Muslim communities. Not only would an Arabic notarial tradition have acted as a pole of Arabo-Islamic ethnicity and culture, but the existence of a notarial office for *aljama* affairs would have ensured *mudéjares* control over the flow to municipalities and the Crown information relating to themselves. Because documents written in Arabic would not have been legible to most royal officials, Muslim notaries would have maintained a powerful intermediary position between the rulers and their communities.

Use of Latin, on the other hand, acted as a means of involving Muslims in Christian institutions, forcing them to adapt to “Western” legal processes and concepts. *Mudéjares* of the Ebro seem to have been completely comfortable with Latin and Romance charters, given the frequency with which chirographs in that language were used in land exchanges between smallholders, and the rarity of references to translators in Catalonia and Aragon proper. In a manner analogous to Christian law, the administrative use of the Latin language served as a standard medium for members of all three communities, drawing them into a common tradition. In this regard, the Muslims of this region integrated with their Christian neighbors rather quickly, in contrast, for example, with their co-religionists

¹⁴⁰ ACA, C., reg. 57, f. 225v (25 October 1285); cit. T. de Montagut i Estragués, *El Mestre Racional a la Corona d'Aragó (1283-1419)* (Barcelona: Fundació Noguera, 1987), pp. 88-89, doc. 55.

¹⁴¹ ACA, C., reg. 44, ff. 193v-194r (10 November 1280).

¹⁴² ACA, C., reg. 113, f. 170r (22 June 1299); see also p. 202.

¹⁴³ ACA, C., reg. 50, f. 161r (15 August 1281); ACA, C., reg. 50, f. 242v (25 February 1281); ACA, C., reg. 83, f. 125v (8 May 1290).

in the Kingdom of Valencia, where Arabic documents seem to have continued to comprise the primary version of ordinances and charters directed at *mudéjares*.¹⁴⁴ Unlike the Muslims of the Ebro region, those of Valencia do not seem to have been generally bilingual at this time. The linguistic facility of Catalan and Aragonese Muslims enabled them to adapt well to the new notarial system; for them the creative and adroit use of Latin documents became a tool for community and individual survival, rather than a means of marginalization. *Mudéjares* became admirably adept at obscuring a paper trail in order to win a dispute. In cases such as that between Auenhalut, the Jew of Calatayud, and his Muslim debtors of Villafeliche, the volume of Latin legal documentation involved in what was ostensibly a simple loan contract is impressive.¹⁴⁵

The interplay of Arabic and Latin language and the merging of notarial practices is revealed in the few surviving Arabic-language and bilingual commercial documents of the period. Most telling is a Navarrese chirograph from the late twelfth century which records a land exchange between a Muslim official and the Hospitallers. Neither the Arabic nor the Latin version is, strictly speaking, a translation of the other; each has a distinct wording and structure.¹⁴⁶ This suggests that the agreement was negotiated verbally, perhaps in Romance, before being set down in written form by the respective parties each using its own formal notarial language, and each interpreting and expressing the essence of the agreement in terms which corresponded to its own understanding and expectations. The way that the order and the *mudéjares* each conceived of this same agreement may have been quite different, given that their interpretations would have depended to no small degree on cultural orientation. Burns and Chevedden observed similar divergences in the treaties negotiated between Jaume I and local Muslim rulers in Valencia, where what was a “submission” for the Count-King of Barcelona represented a “treaty” for the rebel leader al-Azraq.¹⁴⁷

Mudéjares’ facility in accommodating the two diplomatic traditions can also be seen in their use of both Islamic and Christian dating systems. The documents of the archive of the cathedral of Zaragoza, for instance, reveal that Arabic charters generally continued to be dated according to the month and year of the *hijrī* calendar through to the sixteenth century, although there are documents which use the *hijrī* year with the Christian month. Other documents, dated by the Islamic calendar, use

¹⁴⁴ See, for instance, ACA, C., reg. 44, f. 142v (4 July 1279); ACA, C., reg. 59, f. 130v (28 October 1282); ACA, C., reg. 90, f. 191v (4 December 1291); ACA, C., reg. 48, f. 6v (6 May 1280).

¹⁴⁵ See above, p. 206. ¹⁴⁶ AHN, OM, pergs., carp. 912, no. 8 (October 1183).

¹⁴⁷ Burns and Chevedden, *Negotiating Cultures*, p. 213.

Muslims under Christian rule

Christian months to indicate dates specified as part of the terms of the contract body.¹⁴⁸ The use of either the Islamic or Christian calendars or combinations thereof depended on the context of the document in question; there is no evidence of a progressive shift from *hijrī* to Julian dating among *mudéjares*. For example, a document of 1501 from Brea is dated by the *hijrā*, while the twelfth and thirteenth-century bilingual documents of the cathedral of Tudela are dated according to the Julian month and the Spanish *era*. Nor was the use of the “Western” system dependent on the presence of a Christian as an interested party, as two Muslim-only contacts from 1496 are dated by Julian month and *hijrī* year. On the other hand, the Arabic-language documents of the cathedral of Huesca from the late twelfth to late thirteenth centuries are all dated according to the Islamic calendar, with the exception of a land exchange between a carpenter of Huesca, Muḥammad ibn Yūsuf, and “Istāban,” Bishop of Huesca in May 1183, which is dated according to both the *hijrī* calendar and the Spanish *era* (“من تاريخ الصفر”, “from the year zero”).¹⁴⁹ Naturally, when a contract related to agricultural matters the Christian system – a solar calendar, which corresponds uniformly to terrestrial seasons – would have been preferred.¹⁵⁰

Christian and Jewish speakers of Arabic

For their part, Christians were not wholly ignorant of Arabic, although given the politico-social dominance of their culture there would have been less of an impetus to learn it. People with specific business or interests which crossed religio-cultural lines definitely managed the basic vernacular, while the Dominicans and other missionaries, notably Ramon Llull, endeavored to learn the most sophisticated and elevated Arabic in order to dispute philosophy and theology with their religious opponents.¹⁵¹ Soldiers and commanders, such as the magnate Blasco de Alagón, who spent some four years (1229–1233) serving as a commander for the dethroned king of Muslim Valencia, Zayd Abū Zayd, in fulfilment of the

¹⁴⁸ See the documents in García, “Escrituras árabes pertenecientes al archivo de Ntra. Sra. del Pilar de Zaragoza.” The Islamic calendar is reckoned from the *hijrā*, the departure of the primitive Islamic community from Mecca for Yathrib (Medina) in September 622 C.E.

¹⁴⁹ Bosch, “Los documentos árabes del Archivo de la Catedral de Huesca,” pp. 26–27, doc. 5, trans., pp. 28–29.

¹⁵⁰ *Ibid.*, pp. 196–197, doc. 16, 192–195, docs. 14 and 15, and 184–186, docs. 9 and 10; for Tudela, see Fuentes, *Catálogo de los archivos eclesiásticos de Tudela*; cf. p. 32.

¹⁵¹ Ramon Llull (1232/1236 to 1315 or 1316) was the most influential religious figure in the Crown of his era. A former courtier of Jaume II, he became a Franciscan lay-brother, theologian, and dedicated missionary.

latter's treaty with Jaume I, must have certainly learned some Arabic.¹⁵² But aside from exceptional figures such as these, many must have found a workaday or "kitchen" Arabic useful, as did the two Arabic-speaking (*algaravia*) Christians of Tortosa who Jaume I recalls aiding his negotiations with the surrendering king of Mallorca.¹⁵³

In view of this, the Jewish monopoly on the post of royal *scriptor arabicus* should not be interpreted, as some have maintained, as a sign either that Christians did not learn Arabic or that Muslims were excluded from the post on the basis of political suspicion. If sectarian distrust had been an issue, the count-kings would have appointed *conversos* to these positions rather than Jews. The fact is that in this period Jews were exceptionally adept at procuring major appointments in the royal administration. For example, when Samuel fili[us] Abraham Bonnemaiz took the office of Chief Arabic Scribe ("scribania maior de arabico"), it was part of his general appointment as *alfaquinatus* and physician (*fisicus*) of Pere II.¹⁵⁴ As a physician and learned Jew, Samuel would have spoken and written Hebrew and had a high level of Arabic, while as a member of the royal household ("de domo nostra") and a scion of the powerful Abenmenassé family, he certainly had the confidence of the king as well as impeccable connections. Similarly, Abraham Abenamies, a kinsman of the Abenmenassé, was named *scriptor arabicus* in 1290 after carrying out several successful diplomatic missions to Granada for Alfons II.¹⁵⁵ After that king's premature demise, his brother Jaume II confirmed Abraham in the same post.¹⁵⁶ Muslims, for their part, did not generally find their way into the higher administration, but were put in positions of trust in other contexts, as when they served as soldiers and the consequences of disloyalty would have been extremely damaging. In any event, Muslims were used as translators at times. For example, when Jaume I was closing in on Muslim Peñíscola, the Muslims of the town sent two envoys to the king, who was at Teruel. Confronted with the letter in Arabic which they bore, Jaume enlisted a local *mudéjar* to interpret.¹⁵⁷ Many lesser officials and functionaries undoubtedly also depended on *mudéjar*

¹⁵² M. Pallarés Gil, "Don Blasco de Alagón, Señor de Morella," in *I Congreso de la Historia de la Corona de Aragón*, 2 vols. (Barcelona: Francisco Altés, 1909), I, pp. 219–220; AHN, Cod. 54b, p. 555 (1222).

¹⁵³ Jaume I, "Crònica o llibre dels feits," pp. 48–49, chap. 87.

¹⁵⁴ ACA, C., reg. 43, f. 129v (20 February 1279), ed. D. Romano Ventura, "Los hermanos Abenmenassé al servicio de Pedro el Grande de Aragón," in *Homenaje a Millás Vallicosa*, 2 vols. (Barcelona: CSIC, 1956), II, p. 284, doc. 1 (but noted as f. 129); ACA, C., reg. 90, f. 25v (8 September 1291).

¹⁵⁵ ACA, C., reg. 83, f. 12r (20 January 1290), ed. Romano, *Judíos al servicio de Pedro el Grande de Aragón*, p. 103, doc. 4, and Gazulla, "Las compañías de zenetes," p. 188, n. 2.

¹⁵⁶ ACA, C., reg. 90, f. 25v, ed. Romano, *Judíos al servicio de Pedro el Grande de Aragón*, p. 103, doc. 5.

¹⁵⁷ Jaume I, "Crònica o llibre dels feits," p. 82, chap. 182.

Muslims under Christian rule

interpreters; the two Muslims whom the royal *nuncios* Johannes Egidii and Petrus Sivereria took with them on their mission to Tunis may well have served this purpose.¹⁵⁸

Romance and Arabic as mudéjar vernaculars

Although few thirteenth-century documents refer explicitly to *mudéjar* use of Romance as a spoken tongue, this reflects the nature of the documentation rather than the linguistic situation; land exchange charters and royal letters do not necessarily record vernacular speech. On the other hand, legal transcripts (*processos*) and letters to Muslims do, and these confirm that *mudéjar* subjects spoke the common tongues of the realm.¹⁵⁹ Their facility in Catalan and Aragonese (as the case may have been) is further confirmed by the thorough and varied nature of social interaction which emerges from the documentation of the thirteenth-century Ebro Valley, and the absence of references to translators. Complementing Arabophone Christians, even some foreign Muslims evidently spoke Romance. On the other hand, *mudéjares* who lived in strictly Islamic enclaves may have remained isolated from currents of linguistic and cultural assimilation, but such settlements do not come to light in the documentation. Further, there is no reason to assume that *mudéjares* spoke Romance with an accent which would have distinguished them from Christian speakers – individuals who grow up exposed to two languages are capable of learning both with near to equal facility.¹⁶⁰

Conversely, the survival of Arabic as a spoken language is not symptomatic of cultural isolation; differences in language between groups which are in frequent contact do not necessarily constitute a *cause* for maintaining social boundaries but may be, rather, an *effect* of differences in social organization. Hence Arabic may have served as an “idiom of identification of group values” and as such would have persisted as long as an Islamic value-system did.¹⁶¹ Historians who insist that Arabic died out among Aragonese *mudéjares* do so in the teeth of the evidence; they seem to see language competition as a “zero sum game,” wherein the acquisition of one implies the attendant loss of another.¹⁶² This is obviously not

¹⁵⁸ ACA, C., reg. 78, f. 16r (22 October 1288).

¹⁵⁹ See the *processos* transcribed in Ledesma, *Vidas mudéjares*; cf.: ACA, C., reg. 70, f. 174r (1 September 1287), ACA, C., reg. 57, ff. 225v–226r (1 November 1285), ACA, C., reg. 106, f. 88r (26 November 1297), and ACA, C., reg. 340, f. 49v (23 November 1316).

¹⁶⁰ Cf. Lourie, “Anatomy of Ambivalence,” p. 53.

¹⁶¹ J.-P. Blom, “Ethnic and Cultural Differentiation,” in *Ethnic Groups and Boundaries. The Social Organization of Cultural Difference*, ed. F. Barth (Boston: Little, Brown and Company, 1969), p. 83.

¹⁶² L. Bernabé and M. J. Rubiera assume a loss of Arabic but cannot account for the profusion of Arabic-language notarial records in fifteenth- and sixteenth-century Aragon: L. F. Bernabé Pons

Mudéjar *ethnicity and Christian society*

the case, and undoubtedly the overwhelming majority of Ebro region *mudéjares* were functionally or fully multilingual.¹⁶³ This is an important factor in their ethnic development: through the survival of Arabic and the adoption of Romance and Latin, language served both to maintain the autonomy and independent character of Islamic society in the Ebro and to integrate it with its Christian and Jewish complements.¹⁶⁴

Mudéjar *religious isolation*

Some historians have postulated a religious isolation for Aragonese and Catalan *mudéjares*, but this seems improbable given the contact which must have resulted from the flow of local and foreign Muslims through the Ebro region. No substantial political, cultural, or linguistic boundaries impeded the traffic of Valencian *fuqahā'*, and it is well established that Muslim commercial travellers acted as conduits of cultural and religious influence. Thus, if local networks helped to sustain Islam in Valencia, there is no reason to assume that similar mechanisms would not have operated also within Aragon and Catalonia.¹⁶⁵ The documents also disclose wider networks, such as that which led Mahomet Abenaxom to send his children Abdellaxiç, Fatima, and Maria to be students (*pupillae*) in the care of his brother, Abdellaziç, the Muslim *alcaydus* of Zaragoza.¹⁶⁶ Such anecdotal notices of movement between Aragon and Valencia have been substantiated by studies of later centuries, which show that Islam continued to thrive among Aragonese Muslims, and that outside contacts were not severed. Thus, we find a (former) *qāḍī* of Xátiva retiring to the Jalón, and the chief Islamic judge of Valencia supervising a case in Teruel.¹⁶⁷ Nor was the Navarrese border an obstacle, as shown by the leave given in 1305 to Muça Alpelmi, *alfaquinus* of Tudela, and his four sons to travel through the Crown.¹⁶⁸ Muça had extensive business dealings in Borja, and he may have been journeying there in an effort to collect monies which he had been awarded in a civil suit.¹⁶⁹

and M. Jesús Rubiera Mata, "La lengua de mudéjares y moriscos. Estado de la cuestión," in *VII Simposio internacional de mudejarismo. Actas* (Teruel: Instituto de Estudios Turolenses, 1999), p. 605.

¹⁶³ See Jaume I, "Crònica o llibre dels feits," p. 48, chap. 86.

¹⁶⁴ Cf. Burns, "The Language Barrier: Bilingualism and Interchange," in *Muslims, Christians and Jews*, pp. 172–192.

¹⁶⁵ Meyerson, *The Muslims of Valencia*, p. 257.

¹⁶⁶ ACA, C., reg. 144 r. 167r (28 March 1309), cit. BMA, p. 446, doc. 1256.

¹⁶⁷ See p. 278. Although Teruel was in the Kingdom of Aragon, its Muslims fell under Valencian jurisdiction (see p. 168, n. 176).

¹⁶⁸ ACA, C., reg. 203, f. 10v (13 May 1305), cit. BMA, p. 342, doc. 948.

¹⁶⁹ See p. 377.

Muslims under Christian rule

In any event, Islam is well suited to survive in isolation. It does not depend on a formal episcopal structure, and there is no need for either an intermediary clergy or a quorum of believers in order to celebrate ritual (as is the case in Christianity and Judaism respectively).¹⁷⁰ Further, as Greif points out (referring to economic relations), the enforcement of moral standards in “collectivist” societies does not depend heavily on formal organizations.¹⁷¹ On the other hand, the practice of the *shari‘a*, an essential aspect of Muslim observation, was undoubtedly compromised. For example, serial “*qāḍī*-ships” came to an end under Christian rule, and the thirteenth-century documents do not yield a single example of a *mudéjar* who occupied royally sanctioned administrative/religious posts in more than one local. Nevertheless, this may have been offset by the continued circulation of unofficial, popular ‘*ulamā*’ within the kingdom, who served to counteract localizing trends in *mudéjar* Islamic jurisprudence.

A careful reading of documents yields indications of a healthy Islamic cult in the Ebro region, and this is confirmed by evidence of a vibrant religious community in the late Middle Ages.¹⁷² Papal decrees, such as the ban imposed by Gregory IX (pope 1227–1241) on the repair or construction of synagogues (and by implication, mosques), were disregarded by the authorities of the Crown. Thus, in 1274 the *aljama* of Huesca was granted a license to quarry the stones of one of its old cemeteries, part of which had been granted to the Dominicans to construct a church, for mosque construction.¹⁷³ Unfortunately the document does not reveal whether the Muslims were expanding a present structure or merely repairing it. This is a lamentable lacuna; congregational mosques (*masājid al-jāmi‘*) need to accommodate the entire local Muslim community at the Friday midday prayer session, and thus their physical expansion provides a possible index of community growth. The upkeep and construction of mosques, which were much more than mere places of worship, would have further reinforced *mudéjar* identity. Mosques served as centres for the maintenance and propagation of Arabo-Islamic culture, and as social and judicial nexus; they acted as schools, courthouses, administrative centers, and popular public forums.¹⁷⁴ As it happened, Jews also benefited from royal authorities’ indifference to the practice of

¹⁷⁰ The minimum requirement of four male believers stipulated by the Maliki school at the Friday midday prayer “is only obligatory in substantial localities.” (EI^{CD}, s.v. *salāt*.)

¹⁷¹ Greif, “Cultural Beliefs and the Organization of Society,” p. 943.

¹⁷² See F. García Marco, *Comunidades mudéjares de la comarca de Calatayud en el siglo XV, passim*; and K. Miller, “Guardians of Islam: Muslim Communities in Medieval Aragon,” Ph.D. dissertation (Yale University, 1998).

¹⁷³ ACA, C., reg. 19, f. 96r (3 February 1274). ¹⁷⁴ Burns, *Islam under the Crusaders*, pp. 184ff.

Mudéjar *ethnicity and Christian society*

their faith, as demonstrated by the permission given to the community of Zaragoza to construct a new synagogue in 1280.¹⁷⁵

Finally, the vitality of local Islam can be seen in *mudéjares'* reactions to demands which they regarded as intolerable from a religious standpoint. For example, in 1298 the Archpriest of Daroca was censured after the *aljama* of Burbáguena had complained that the *primicias* and *decimas* that the parish collected for lands they had purchased from Christians were being used to furnish and decorate the church. Paying the taxes which they were obliged to by law was one matter, but complicity in Christian idolatry was not only offensive to *mudéjares* but contrary to custom. In view of this, Jaume II ordered the archpriest to return the monies which the Muslims had paid.¹⁷⁶ Years later, in Teruel, Azan, a Muslim member of the Confraternity of St. Eulogius in Teruel, attacked the *maiordomus* of the organization, who had come to collect a mandatory donation for lighting the saint's altar.¹⁷⁷ On the other hand, when it to their advantage, Muslims were more willing to compromise their religious principles. Thus, in 1308 a Muslim of Daroca who had gone on the lam after the attack on the royal *portarius* Guillermus de Massilia (see p. 142) took sanctuary in a church. Incredibly, his right to refuge was acknowledged by local authorities until Jaume II ordered him forced out "on the grounds that infidels ought not to enjoy the liberty [afforded by] churches."¹⁷⁸

Conversion to Christianity

The best index of the survival of Islam in the Ebro region can be found in the rate of conversion to Christianity. Unfortunately, in this era this act did not generate documentation of a type which has survived, and parochial archives, which systematically record baptisms, marriages, and deaths, were not established until the late Middle Ages. Tracing trends in conversion is further complicated by the apparent tendency of Muslim *convertos* to take names which did not immediately identify them as neophytes, unlike many Jewish converts. Both the Church and Crown, however, had a declared interest in the conversion of Muslims and Jews to Christianity, which was expressed repeatedly in ordinances of canon and civil law. The Church's wranglings with heretics in the late twelfth and

¹⁷⁵ Gregory IX, *Decretales D. Gregorii Papae IX: suae integritati una cum glossis restitutae: ad exemplar Romanum diligenter recognitae* (Lyon: P. Rousselet, 1613), p. 1656, doc. 3; Canellas, *Colección diplomática del concejo de Zaragoza*, II, pp. 127–128, doc. 145.

¹⁷⁶ ACA, C., reg. 107, ff. 166v–167r (30 December 1297).

¹⁷⁷ ACA, C., reg. 442, f. 236r–v (1331), cit. Nirenberg, *Communities of Violence*, p. 39.

¹⁷⁸ "cum infideles ecclesiarum gaudere non debeant libertatem": ACA, C., reg. 140, f. 120r (11 July 1308), cit. BMA, p. 413, doc. 1155.

thirteenth centuries, specifically the Waldenses and Cathars of the Rhône valley and Languedoc, had stimulated the missionary impulse and led to the emergence of a new type of religious order in the early 1200s, the *Ordo Praedicatorum* (Dominicans), founded by St. Dominic de Guzmán, and the *Ordo Fratrum Minorum* (Franciscans) founded by St. Francis of Assisi.¹⁷⁹ Both of these mendicant orders, which served not only to combat heresy directly but to preach and provide the pastoral touch which the Church's ministry lacked at the time, were enthusiastically received in the Crown. Naturally, Jews and *mudéjares* presented obvious objects for conversion, and the Mendicants rose to the task by learning Hebrew and Arabic and studying the religious writings of Islam and Judaism. In order to promote the cause, Jaume I granted the orders and the secular clergy the right to preach in mosques on Fridays and synagogues on Saturdays. The congregations of these were ordered by law to attend, an obligation which was incorporated into the codification of the *fueros* of Aragon of 1247 and was confirmed periodically throughout the century.¹⁸⁰ This had first been promulgated by Jaume II in 1243, and a refined version, which was later incorporated in the *fueros*, was ordained at the council of Lleida in March of the following year, mostly probably at the instigation of the Dominican Ramon de Penyafort (c.1175–1275).¹⁸¹ Half a century later Ramon Llull was authorized to assemble a team of five or six missionaries, also to preach in the mosques and synagogues of the realm; attendance was to be mandatory.¹⁸² That initiatives as such these, or the famous Christian–Jewish disputation hosted by Jaume I in 1263, met with little practical success should come as no surprise.¹⁸³ Captive audiences do not make the most attentive or appreciative listeners, and the obligatory attendance may have served to reinforce rather than weaken Muslim (and Jewish) sense of community and resolve – indeed, local Muslim authorities could not have been wholly opposed to a law which guaranteed full attendance at Friday prayers!

¹⁷⁹ Both orders were given papal authorization in the opening decades of the thirteenth century as a response to the threat of heretical movements (Albigensians/Cathars and Waldensians respectively) in the modern south of France. For the Franciscans in the Crown, see the works of J. Webster cited in the Bibliography.

¹⁸⁰ *Fori*, p. 93; cf. *Fueros*, p. 161, sec. 271; *Vidal*, II, p. 474, sec. VIII: 11; ACA, C., reg. 104, f. 65[62r] (3 September 1296); ACA, C., reg. 106, ff. 88v–89r (24 November 1297).

¹⁸¹ Canellas, *Colección diplomática del concejo de Zaragoza*, I, pp. 68–69, doc. 66; see J. Riera i Sans, “Les llicències reials per predicar als jueus i als sarraïns (segles XIII–XV),” *Calls* 2 (1987): 114–115.

¹⁸² ACA, C., reg. 114, ff. 44v–45r (6 November 1299); ed. A. Rubió i Lluch, *Documents per l'història de la cultura catalana mig-èval*, 2 vols. (Barcelona: Institut d'Estudis Catalans, 2000 [1908]), I, pp. 13–14.

¹⁸³ For the disputation, see R. Chazan, *Barcelona and Beyond: The Disputation of 1263 and its Aftermath* (Berkeley: University of California Press, 1992).

But inevitably, the preachers' enterprise was doomed to fail because it was a misplaced effort. For most, religious belief is a social and emotional, rather than an intellectual, state of conviction, whereas the disputations and sermons addressed these beliefs on the basis of rationalizations which were themselves grounded ultimately in undemonstrable scriptural assumptions or articles of faith.¹⁸⁴ Even intellectual listeners could hardly be expected to be swayed when the missionaries' arguments confronted neither the metaphysical nor the social roots of Islam.¹⁸⁵ As the fourteenth century dawned and such efforts failed to convince Muslims and Jews of the error of their ways, the language schools of the Dominicans closed down and the outlook of missionaries became less conciliatory. Nowhere is this more obvious than in the case of Lull; once an optimistic champion of gentle, rational persuasion, the frustration of his old age prompted him to advocate more strenuous means of enlightenment, such as military force and Crusade.¹⁸⁶

But conversions there must have been, whether by virtue of the persuasiveness of the missionaries or due to other factors. Being the dominant religious system of the Crown, Christianity undoubtedly exerted some power of fascination or allure; emblematic of the conquerors, it would have enjoyed an apparent vindication by worldly events, in contrast to the profligate Islam of the Ebro. The apparent worldly superiority of Christianity, coupled with the familiarity with Christian customs which social contact produced, may have encouraged some *mudéjares* to abandon Islam. Further, conversion could offer tangible benefits. Merely joining the Catholic Church, for example, could further an administrative career, removing the ceiling which membership in a minority religion imposed on advancement. Thus, in 1265 the convert Johannes Petri (whether formerly a Muslim or a Jew is not indicated) was promoted to the post of *collector et preceptor laudiniorum* at the royal court in Montpellier.¹⁸⁷

¹⁸⁴ See H. J. Hames, *The Art of Conversion: Christianity and Kabbalah in the Thirteenth Century* (Leiden: Brill, 2000), p. 93.

¹⁸⁵ Burns, "Christian-Muslim Confrontation," p. 106 (paraphrasing Urvoy).

¹⁸⁶ *Ibid.*, p. 105. For Lull, see J. N. Hillgarth, "Vida i importància de Ramon Llull en el context del segle XII," *Anuario de Estudios Medievales* 26 (1996–1997): 967–978; Hillgarth, *Ramon Lull and Lullism in Fourteenth-Century France* (Oxford: Clarendon, 1971), Chapter 2, "Ramon Lull and the Politics of his Age," *passim*. It should be noted that Lull's commitment to mission did not wane, and in his last years he continued in his endeavor to convince Muslims (in particular the King of Tunis) of the veracity of Christianity (*ibid.*, pp. 132–134). Generally, preaching friars, like the Franciscans, seem to have been more concerned with Jewish than Muslim inhabitants of the Crown: see J. Webster, "Conversion and Co-existence: The Franciscan Mission in the Crown of Aragon," in *Iberia and the Mediterranean World of the Middle Ages*, ed. P. E. Chevedden *et al.* (Leiden: Brill, 1996), pp. 163–177.

¹⁸⁷ ACA, C., reg. 13, f. 273r (12 June 1265). The *collector laudiniorum* was in charge of administering the *lluisme*, the right of the king, or any other direct feudal lord, to levy a percentage fee on

Muslims under Christian rule

Johannes' promotion may or may not have been a direct result of his conversion, but his prospects would have been improved by his change of faith. Outside administrative circles, conversion would have offered the opportunity to belong to a parish network or participate more fully in a guild or trade-based confraternity, either of which could contribute to the wealth and social prestige of the individual concerned. On the other hand, conversion could be used as a way of extricating oneself from legal difficulties, be they with Christians or Muslims. For example, the conversion of "Berengarius" in 1274 may have been related to the allegation that he had stolen some of his Christian neighbors' horses "while he was a Muslim" ("dum erat Sarracenus").¹⁸⁸ Indeed, according to Ibn Jubayr, *mudéjares* in contemporary Sicily often used conversion as a means of extricating themselves from unpleasant personal situations.¹⁸⁹

Social consequences of conversion to Christianity

Spontaneous conversion, when it did occur, must have been motivated by either powerful incentives or beliefs. Genuine religious conviction should not be dismissed as a motive in such cases, and the occasional references to individuals who defied law or community pressure in order to follow the faith of their choice is testament to its power. The social and material cost of switching faiths, though, would have been heavy. For example, as a corollary of both Islamic and Christian law, an Islamic marriage could survive only if *both* partners converted to Christianity. Canon law forbade cross-religious marriage, and all four of the Sunni legal schools consider apostasy to annul matrimony.¹⁹⁰ Thus in 1281, Berenguer Quadris, an agent of the Archbishop of Tarragona, was ordered to process the divorce which Abrafim, a Muslim of Montalbán, requested on the grounds that his wife, Barmunda, had converted to Christianity.¹⁹¹ Since inheritances fell under the aegis of personal law, which was administered according to religious community in the Crown, converts lost all rights to their share of the family estate – they were, in effect, legally divorced from their families. For New Christians this began to change by the fourteenth century, when converts like Jacobus de Iacca (Jaca) was able to claim a share of his father's estate despite the objections of his Muslim mother.¹⁹²

property sold or exchanged by a tenant or vassal: *Diccionari d'història de Catalunya* (Barcelona: Edicions 62, 1995), s.v. *lluisme*.

¹⁸⁸ ACA, C., reg. 39, f. 234r (3 August 1277). ¹⁸⁹ *Rihlāt Ibn Jubayr*, pp. 280–281.

¹⁹⁰ D. Pearl, *A Textbook on Muslim Personal Law* (London: Croon Helm, 1987), p. 209.

¹⁹¹ ACA, C., reg. 50, f. 141v (13 August 1281).

¹⁹² ACA, C., reg. 118, f. 50r (28 March 1301), cit. BMA, p. 234, doc. 633bis.

Mudéjar ethnicity and Christian society

According to the *sharī'a*, apostasy from Islam was considered an offence meriting capital punishment, a penalty which obviously could not be applied in Christian lands. In *mudéjar* society, which lived with the aggressive threat of proselytizing Christianity, converts were undoubtedly looked upon as traitors – a suggestion confirmed by contemporary legal codes which forbade the slandering of New Christians.¹⁹³ In 1281 it came to the attention of Pere II that unspecified Muslims “were presuming to disparage the Catholic faith” (“presummiunt fidem uituperare Catholicam”) by abusing converts to Christianity (“neophitos Christianos”), and subsequently claiming immunity from prosecution on the grounds that they had not committed an offence against Islamic law. In response, the king warned that Jews or Muslims who verbally or physically attacked converts would forfeit their privilege to be judged by their own law in such cases:

For that reason We desire and command that whatever Jew or Muslim dares to loosen his tongue against the most wholesome faith of the Christians or strike out against a Christian convert in opprobrium of the said faith should be judged for this by Our judge and Christian officials and according to the law and *fueros* of the Christians and punished accordingly, notwithstanding any privilege or statute . . .¹⁹⁴

The fierce reaction which conversion could provoke among members of the Islamic community is illustrated by the case of Abduzalem Escausseri. Some time in the late thirteenth or early fourteenth century this Muslim paid 400 *solidi* to Jaume Pons of Peñíscola for the ransom of his enslaved daughter, Fatima, but when news arrived that she had converted to Christianity (“se feyta Crestiana”) before he had paid the remaining fifty *solidi*, he petitioned the Templars, who ruled Peñíscola, to refund his money.¹⁹⁵ Not all *mudéjares* were so intransigent in their attitude towards conversion; but changing faith did not necessarily entail isolation from one’s former community, and in some cases converts may have continued to maintain old social and family ties. Evidence of collaboration between New Christians and Muslims surfaces occasionally in the documents, such as a letter from the Jaume II ordering the arrest of a *baptizatus* and a *Sarracenus* for some unnamed *maleficium* which they had allegedly committed.¹⁹⁶

¹⁹³ Vidal, II, p. 538, sec. x: 60.50.

¹⁹⁴ “Idcirco uolumus et statuimus quod quicumque Judeus et Sarracenus contra fidem Christianorum saluberimam laxare ausus fuerit linguam suam uel etiam in opprobrium dicte fidei percutere neophitum Christianum iudicetur per id iudicem et officiales nostros Christianos et secundum legem et foros Christianorum pro quod omnia puniatur, non obstante priuilegio aliquo uel statuto . . .”: ACA, C., reg. 50, f. 124r (21 July 1281).

¹⁹⁵ ACA, C., CRD, Jaume II, ca. 137, no. 83 (14 May 1299–1306, see p. 169, n. 182).

¹⁹⁶ ACA, C., CRD, Jaume II, ca. 142, no. 601 (no date).

Muslims under Christian rule

Once taken, the decision would have to be a permanent one, given that re-conversion in the Christian Ebro was considered apostasy, as it is under Islam, and was punishable by death and confiscation. Thus, in 1279 Mahomet de Sale, the “alcaldu” of the *moreña* of Valencia, was granted the workshop of an unnamed convert who had allegedly “returned to the sect of Mohammad” (“ad sectam Maffumeti ese [sic] reductus”).¹⁹⁷ According to a Valencian statute promulgated by Jaume I, Christians who were heretics or who had converted to Judaism or Islam were to be burned to death.¹⁹⁸

Whatever the motives, conversion would seldom have been undertaken lightly, sundering as it would the individual’s family, social, and economic relationships. It was a step which would be embarked on typically only as an act of desperation or overwhelming conviction, or by individuals who did not value those ties highly. It is hardly surprising, then, that the overwhelming majority of documentary notices of conversion concern slaves. For Muslim slaves the pull of acculturation due to integration in the Christian social milieu, the weight of Christian authority, and the relative lack of Muslim community or family ties would have acted together to encourage apostasy. The effect of such pressures is illustrated by the occasional conversion of Muslim slaves to the Judaism of their owners – an act prohibited by the *sharī‘a*, canon and Crown law. For example, in 1286 an inquiry was launched after the *Sarracena* slave belonging to a Jew of Huesca had allegedly converted “to Jewish law” (“ad legem Judaycam”).¹⁹⁹ Under Christian rule, as in Islam, conversion between minority faiths was treated as apostasy, and it had been formally outlawed by Jaume I in 1235. Thus, several former Jews of Zaragoza who had gone over “to Islamic law” (“ad legem Sarracenicam”) were arrested in Pina in 1280.²⁰⁰ Having been taken into custody, they were apparently enslaved and granted to the *merinus* Egidius Tarini later that year.²⁰¹

In principle canon law forbade the enslavement of Christians, and Jews and Muslims were forbidden by Papal legislation from owning Christian slaves. Thus, as a group, slaves had the most to gain by baptism, as it could favorably affect their status and expedite manumission. In fact, the conversion of slaves was so frequent that statutory limitations were imposed on would-be converts, undoubtedly in an effort to mitigate the resulting financial losses of their owners. Hence, a probationary period of “some days” (“aliquibus diebus”) was recommended by the Council

¹⁹⁷ ACA, C., reg. 44, f. 163r (7 December 1279).

¹⁹⁸ *Furs de València*, VIII, p. 97, sec. IX.LXIII.

¹⁹⁹ ACA, C., reg. 67, f. 1r (8 May 1286).

²⁰⁰ ACA, C., reg. 48, f. 139v (8 September 1280), ed. D. Romano Ventura, “Conversión de los judíos al Islam (Corona de Aragón 1280 y 1284),” *Sefarad* 36 (1976): 333 and 336, doc. 1.

²⁰¹ Canellas, *Colección diplomática del concejo de Zaragoza*, II, p. 147, doc. 187.

of Tarragona of 1247 to ascertain whether would-be converts “walk in darkness or light.”²⁰² Jews, who would have been particularly vulnerable to the flight of their slaves in this manner, petitioned for and received protective legislation when Jaume I limited to Easter the time of year at which the slaves of Jews could seek baptism.²⁰³ Further, in 1277, in response to complaints from the Jews of Zaragoza, Pere II had ordered that, should a Muslim slave convert to Christianity within three months of his or her purchase by a Jewish owner, he or she would have to pay the owner twelve “morabetini auri alfonsini.” If the slave did not have this sum, he or she was to be sold to a Christian owner by local Christian officials for that price, which would then be given to the former owner.²⁰⁴ Similarly, the Privileges of Barcelona, as confirmed in 1284, ordered that converted slaves of Jews were to be freed only after they had bought their freedom from their owners.²⁰⁵ Converted slaves of Christians, on the other hand, had no statutory right to manumission.²⁰⁶ Informal barriers to conversion, such as confinement and intimidation, were probably also raised by slave owners, and may account for the reforming papal legate Pere d’Albalat’s reminder to the Council of Tarragona (1246) that according to Church law, no slave who genuinely desired baptism could be refused.²⁰⁷

Forced conversion

Forced conversion of free Muslims does not seem to have been an issue in this period, and the only contexts in which coercive baptism normally arises are those of slavery and miscegenation. Like other property, slaves were left to heirs in last testaments, and occasionally provisions were made for their conversion. Whether a slave could decline such an invitation is unclear, but they may have felt pressured to accept, especially in locales such as Tortosa, where manumission by testament could be accepted only by slaves who converted to Christianity.²⁰⁸ Miscegenation became an issue when a Christian man had a child with a Muslim woman, which must have happened with some frequency with female slaves. In such cases, municipal statutes typically stated that if the father was the mother’s

²⁰² “ut cognoscant utrum in tenebris ambulant vel luce”: Pons, *Cartulari de Poblet*, p. 63, doc. 147.

²⁰³ Ramos, *El cautiverio en la Corona de Aragón*, p. 145.

²⁰⁴ Régné, *History of the Jews in Aragon*, cit. pp. 124–125, doc. 687, ed. *ibid.*, pp. 424–425, doc. ix (17 August 1277).

²⁰⁵ ACA, C., reg. 47, f. 82v (18 January 1284).

²⁰⁶ Ramos, *El cautiverio en la Corona de Aragón*, p. 145.

²⁰⁷ Pons, “Constitutions conciliaires Tarraconensi,” p. 147, sec. iv.

²⁰⁸ Massip, *Costums de Tortosa*, pp. 307–308, sec. 6.4.4. This provision was an innovation of the post-1279 version, and does not appear in the 1272 manuscript.

owner the child should be raised as a Christian and the mother freed, while if the father was not the owner of the mother, the child should be baptised but would remain a slave, with the restriction that he or she could be sold only to Christian owners.²⁰⁹ But this law, like other statutes which ran counter to the interests of powerful organizations and individuals, often failed to be applied, and there was no real guarantee that either illegitimate children or their mothers would benefit from their association with a Christian father. Such, we can assume, was the case of Aixa, a Muslim girl (“parvula”) sold by Geraldus de Apularia to Berenguer of Uldecona. In the act of sale Pere II ordered Berenguer to baptize her and find her a husband in view of the girl’s “condition” (undoubtedly pregnant).²¹⁰

As for larger-scale popularly motivated forced conversion, only one significant incident is reported in the Ebro lands of the thirteenth century. This occurred in 1282 when, in the course of cattle-rustling, the Christian inhabitants of several hamlets forcibly baptized the *mudéjares* of Huesa. Pere II was not impressed by this spontaneous act of piety and ordered the culprits punished.²¹¹ Indeed, the mass “conversion” seems to have been forgotten or ruled illegitimate, given that tax rolls of the 1290s confirm the existence of a thriving *aljama* in the town.²¹² The royal reaction to the conversion of the Muslims of Huesa and the laws which were promulgated to limit slaves’ access to baptism reflect the ambiguities of royal and Church policy in this regard – inconsistencies rooted at bottom in practical conflicts of interest. Maintaining the Muslim population as such was very much in the material interests of the king and of ecclesiastical corporations for whom *mudéjares* represented a major source of tax, labor, and rent.²¹³

In practice, *mudéjar* contact with the Church tended overwhelmingly towards the secular, and in affairs of this nature larger the Christian mission was conveniently laid aside.²¹⁴ When monasteries and Military

²⁰⁹ *Ibid.*, p. 301, secs. 6.1.12, 16, and 18.

²¹⁰ “tali uidelicet condicione ipsam Sarracenam . . .”: ACA, C., reg. 41, f. 87r (4 June 1279).

²¹¹ ACA, C., reg. 46, f. 84v (3 May 1282).

²¹² ACA, C., reg. 324, f. 60v (1295); ACA, C., reg. 324, f. 150r (1296); ACA, C., reg. 324, f. 271v (1297).

²¹³ A similar scenario can be observed in Persia during the age of Islamic expansion. When the peasants of Khurasan converted to Islam *en masse* and went to the Ummayyad governor al-Ḥajjāj ibn Yūsuf al-Thaqafī to be recognized as Muslims, the latter refused and sent them back home as unbelievers “mainly due to the economic impact it could have upon the collection of the *jizyah* tax”: R. Marín Guzmán, “The Abbasid Revolution in Central Asia and Khurāsān: An Analytical Study of the Role of Taxation, Conversion, and Religious Groups in Genesis,” *Islamic Studies* 33 (1994): 231.

²¹⁴ The Jesuit colonial administrators of Mexico faced the same compromises, because the Order’s secular and commercial aims “did not necessarily coincide with the Jesuits’ spiritual mission or aspirations”: Konrad, *A Jesuit Hacienda in Colonial Mexico*, p. 40.

Orders took Muslim communities and individuals under their protection, or when cathedrals were entrusted with the incomes of *aljamas*, *mudéjares* took on an indispensable role in the economy of these institutions, one which could be put in jeopardy if these communities were reduced through conversion. Thus, when the Bishop of Barcelona was granted the population of Almonacid in 1238, the nature of this prelate's relationship to his Muslim subjects was economic rather than pastoral – the idea of proselytizing his new vassals would probably not have occurred to him.²¹⁵ Similarly, when the Abbot of Montearagón took the Muslims of Tierz (near Huesca) under his protection in 1266, it was a share of their crops rather than the salvation of their souls which was to be his recompense.²¹⁶ Indeed, the only disputes between the official Church and *mudéjares* which emerge in the documentation occur when the latter withheld taxes or tithes. Even in these circumstances, however, the Church's tenor and approach to Muslims was legalistic and restrained rather than polemical and chauvinistic. For example, the canons of Lleida struggled for at least two years to collect tithes from the Muslims of Albalate del Arzobispo who, despite a number of failed motions and appeals, refused to pay up as ordered. In the course of the exchange, the frustrated chapter referred quite justifiably to the Muslims' "contumacy" ("contumaciam"), but not did not use ideologically loaded or pejorative terms (such as "infidels," or "enemies of the faith"), or even veiled threats of sectarian reprisal.²¹⁷

Behind the sweeping policy statements and occasional ordinances enacted to protect *conversos*, subtle obstacles were placed in the path of would-be converts. Promulgations such as those of Jaume II of 1296 and 1297 ordering total liberty of movement, conservation of property, and full Christian status to converts were simply not implemented in the way they were expressed.²¹⁸ On the one hand, the *fueros* established legal mechanisms to obstruct conversion, while on the other royal decrees reiterated the right of unconditional and unimpeded conversion to whoever desired it.²¹⁹ Yet slaves who converted were not manumitted automatically, even when they belonged to non-Christians. In fact, despite canon and civil-law rulings and with the connivance of the Crown,

²¹⁵ Huici, *Documentos de Jaime I de Aragón*, II, p. 24, doc. 256.

²¹⁶ Esco and Utrilla, "La población mudéjar en la Hoya de Huesca," in *V Simposio internacional de mudejarismo. Actas* (Teruel: Instituto de Estudios Turolenses, 1986), p. 208.

²¹⁷ ACA, C., reg. 108, f. 75r (1 June 1297); ACA, C., reg. 114, ff. 82v–83r (30 November 1299).

²¹⁸ ACA, C., reg. 104, f. 65[62]r (3 September 1296); cf. ACA, C., reg. 106, ff. 88v–89r (24 November 1297).

²¹⁹ ACA, C., reg. 104, f. 65[62]r (3 September 1296); cf. ACA, C., reg. 106, ff. 88v–89r (24 November 1297); *Fori*, p. 93; *Fueros*, pp. 160–161, doc. 271; *Vidal*, II, p. 538, sec. IX. 60.50.

Muslims under Christian rule

Jews continued to sell even baptized slaves well into the fourteenth century.²²⁰

The baptizatus: an intermediary ethnicity

The ambiguous status of converts is reflected in the semi-official legal designation of “baptizatus,” an expression of the intermediate status of the New Christian – no longer an infidel, but not fully Christian. As a legal category, it goes back to the Visigothic era; articles in the *Liber iudiciorum* show that Jews who converted nevertheless continued to be considered as members of the Jewish ethnic group and subject to their co-religionists’ restrictions.²²¹ It is significant that *baptizati* are normally encountered as slaves, and in this regard it does not seem that they enjoyed any significant benefit as a result of conversion. They, like other bonded servants, were bought and sold, mistreated and rewarded; they had families, were sometimes manumitted, and sometimes escaped.²²² Even once free, they continued to carry the stigma of their former condition, and continued to be referred to as *baptizati*, a designation which sometimes adhered even to their children.²²³ This tendency to continue to identify converted Muslims (and Jews) with their former faith reflects the contemporary perception of confessional affiliation as more than the expression of a set of religious beliefs; it was also a social affiliation – membership of a community and nation (*natio*). Thus, if converts were liable to be spurned by their former community, they were not necessarily welcomed with open arms into their new congregation. Whether they truly had “seen the light” or not, converts were viewed by some Christians with suspicion and considered “turncoats” (*tornadiços*). Hence, the *Vidal mayor* severely punished Christians (and Muslims) for referring to converts in this manner, considering it as seriously libellous as accusing someone unjustly of being a traitor or “sodomite.”²²⁴

The inconsequential rate of conversion of Muslims to Christianity in the thirteenth century was not due to lack of exposure, which indicates that in this period Islamic religious structures and Muslim society,

²²⁰ Ramos, *El cautiverio en la Corona de Aragón*, p. 146.

²²¹ E.g. *Fuero juzgo en latín y castellano cotejado con los más antiguos y preciosos códices* (Madrid: Real Academia Española, 1815), p. 179, sec. XII.III.10.

²²² For the sale of a *baptizatus* see ACA, C., Jaime II, pergs., carp. 142, no. 686 (30 January 1294); for the abduction of a baptized slave, see ACA, C., Jaime I, pergs., carp. 87, no. 1069 (15 December 1264).

²²³ See the cases of Sibilía, p. 156, and Mariam Gomiz “[filia] Marchesie baptizati”: ACA, C., reg. 101, f. 260r (3 August 1295).

²²⁴ *Fori*, p. 93; cf. *Fueros*, 160–161, sec. 271; *Vidal*, II, p. 538, sec. IX.60.50; Canellas, *Colección diplomática del concejo de Zaragoza*, I, pp. 168–169, doc. 66.

sustained by the interests of Christian administration and corporations, continued to be sufficiently cohesive to retain the loyalty and conviction of Ebro *mudéjares*, and that Islam was able to provide individuals with what they expected and required on a religious and cultural level. Conversion by Muslims, in contrast to that of Jews, seems to have been generally a low-key affair. For instance, apart from the alleged case of conversion from Islam of the author the thirteenth-century polemic *Contrarietas alpholica*, no Islamic counterparts to the educated Jews who after converting became their former faith's most vocal public critics emerge until the fourteenth century. There were no Muslim equivalents of Pau Crestiá (who abetted the disputation in Barcelona 1263) or Martinus Petri, a former Jew from Castile, whose unlicensed preaching inflamed the Jews of Huesca and Zaragoza in 1294 and earned him the repeated approbation of Jaume II.²²⁵ It was not until 1308 that a Muslim analog appears in the form of the convert Jacobus Petri, whom Jaume II authorized to go about throughout the Crown preaching to his former co-religionists.²²⁶ The rarity of documentary references supports the contention that converts from Islam were something of an anomaly. A charter regarding a civil case in Lleida refers to one party as a "Christian of that city who some time ago arrived at the true faith of the Christians from the beliefs of the Muslims," rather than by his name; his conversion was obviously an exceptional event if he could continue to be characterized in this way.²²⁷ Not only did material interests often distract the Church from its missionary commitment, but the fact that Muslim identity adhered to converts shows that Christian society was not prepared to integrate fully even baptized *mudéjares*. Indeed, the inability to cope with converts is reflected by hostile popular and learned attitudes toward *conversos* (converted Jews) manifested from the late thirteenth century on.

CONCLUSION

Mudéjar society in the thirteenth-century Ebro valley was complex and varied; far from being a fossilized relic of the Andalusi past, it was a dynamic component of the aggregate society of the Crown of Aragon. Its upper stratum was the domain of a loose class of "urban patricians" who dominated *aljama* administration and local industry, were responsible

²²⁵ ACA, C., reg. 99, f. 306v (30 July 1294); ACA, C., reg. 100, ff. 94v-95r (11 September 1294); ACA, C., reg. 99, f. 276r (16 July 1295). For the *Contrarietas*, see Cutler, "Who was the Monk of France," p. 265.

²²⁶ Riera, "Les llicències reials per predicar als Jueus i als Sarraïns," p. 132, doc. 1.

²²⁷ "Christiano eiusdem ciuitatis que olim de cre[d]itate Sarracenorum ad ueram fidem Christianorum peruenit . . .": ACA, C., reg. 93, f. 380r-v (27 November 1292).

Muslims under Christian rule

for the patronage of whatever remained of Islamic higher culture in the region, and maintained contact with Valencia and the *dār al-Islām*. At the lower end of the scale, slaves constituted a transitional group, drawing in local and foreign Muslims, exposing them to Christian society, and reintegrating them in the *mudéjar* world, which was thereby enriched by both Western and external Islamic social and cultural influences. The survival of Arabic and the adoption of Latin and Romance among *mudéjares* indicate that they were members of a society which was coherent enough to maintain its own character and confident enough to appropriate features of the dominant group. This is confirmed by the health of the local Islamic cult in late thirteenth-century Aragon and Catalonia, which maintained its constituency in the face of Christian proselytizing, despite the lure of material advantage which membership in the Church could offer to Muslims, and without resorting to a position of defensive and reactionary polemic. If to “take linguistic change as a model for cultural change in general is wholly appropriate,” then *mudéjar* linguistic polyvalence undoubtedly reflects the complex synthesis which characterized their culture as a whole.²²⁸ The “bundle” comprised by language, religion, and social variation acted to reinforce *mudéjar* ethnicity, endowing it with the internal strength and flexibility necessary to survive in a colonial situation, and enabling it (as seen in the next chapter) to confront and integrate its Christian counterpart on both the systemic and individual levels.

²²⁸ Glick, *Islamic and Christian Spain in the Early Middle Ages*, p. 277.

MUSLIMS AND CHRISTIAN SOCIETY

Now that tentative administrative, economic, and social schemas for the *mudéjar* society of the Ebro have been proposed, the final chapter of this work will address the mechanics of Muslim, Christian, and Jewish social interaction in the Crown. The way that members of the different faiths chose to and were permitted to defend both their local multi-confessional communities and the greater commonwealth which comprised the Crown provides one possible index of social integration. Christians, Muslims, and Jews each perceived of defense variably as a right, a duty, and an imposition, and acted accordingly, confronting rival municipal communities, local sectarian rivals, and the political enemies of their kings, according to how they perceived their own interests to lie. Service to the local community is analogous to defense, and it can be demonstrated that despite formal proclamations to the contrary, *mudéjares* did take part in the administration of aggregate municipal constituencies. But in an age traditionally qualified as one of Crusade and “Reconquest,” the importance of sectarian identity should not be understated. Hence the role of “political” ideology in the *mudéjar* experience must be examined, and the concept of the “frontier” in Iberian history reappraised, both in itself and as a factor which affected the lives of Muslims under Christian rule. It must be considered not only as a politico-military marker, but also as a zone of economic, technological, and cultural exchange. Finally, the nature of mundane social interaction among Muslims, Christians, and Jews in the Crown, which has been characterized with alternate enthusiasm and disdain as “convivencia,” must be analyzed. The reticence of the documents in matters of day-to-day affairs makes this no easy task, and restricts inquiries to certain themes—sexual interaction, communal violence, and crime—on which the following analysis must be based. Imperfect as the evidence may be, it is adequate for accomplishing the overall aim of this chapter, which is to illuminate the social limits to which Muslims were subject, while distinguishing sectarian social dynamics from other factors affecting daily life in the Christian-dominated Ebro valley in the thirteenth century.

Muslims under Christian rule

MUSLIMS AND CHRISTIANS IN DEFENSE OF THE COMMUNITY

Sense of regional community is an elusive and inconstant concept which can be gauged only approximately and with great difficulty. One of the ways in which it may be observed, however, is in the obligation or right of group members to defend their own community. Examining how Muslims and Christians approached problems of common security will yield clues as to how they related to each other as subjects of a common Crown and coinhabitants of discrete geographic locales. Defense of the community, however, is not limited to military activity, and joint efforts to promote the local economy and to protect it against outside threats should also be placed under this rubric. A sense of common cause might encourage Muslims and Christians to collaborate in non-official acts of violence, a case which would support the suggestion that social cohesion between *mudéjares* and Christians worked to dampen the effects of sectarian antipathy.

Military service

Abrogation of the formal right to defend the community is one of the ways by which a dominant group may deliberately marginalize a minority. Prohibitions of this type may be based on a combination of pragmatic and symbolic motives, and can be seen from the medieval through to the modern age. Classical Islamic society formally prohibited non-Muslims from taking up arms, as Israel does its most significant minority today. The intermittently enforced prohibition of non-Muslim military participation in the *dār al-Islām* was held to be a justification for the levying of the *jizya*. In modern Israel, Druzes may serve in the army and Bedouin are employed as scouts, but Christian and Muslim “Israeli Arabs,” who have long been considered a potential threat by virtue of their cultural identity, are prohibited from service.¹ On the other hand, in the thirteenth-century Crown of Aragon the Muslim minority did generally serve in military roles and enjoy the right to bear arms. That the latter was seen as a right is reflected in a complaint registered in 1293 by the Muslims of Tarazona, that they were being taxed on their knives by municipal officials (*juratí*).² It was not until well into the following century that *mudéjar* weaponry came to be conceived as inappropriate or generally threatening. Laws of this kind were not enforced

¹ See generally K. M. Firro, *The Druzes in the Jewish State* (Leiden: Brill, 1999).

² ACA, C., reg. 94, f. 91[67]v (6 March 1293).

with any consistency until 1480, and even then they were probably ineffectual.³

The original surrender agreements and early *fueros* either excused Muslims from military duties or obliged them at most to local defense, but by the middle of the thirteenth century the kings had succeeded in making *exercitus* (periodic military service) a general obligation. Hence, the Muslims of Huesca were included in that town's muster in response to the French invasion of 1285, and were ordered to attend the king on pain of fine and arrest.⁴ Given the hostility of the Aragonese nobility to Pere, the king was in particular need of military support.⁵ In a muster of 1290, the *jurati* of Borja were instructed to extend to local Muslims returning from action the ten-day grace period on all debts which soldiers were entitled to according to the *forum Aragoniae*.⁶ The same year the *aljama* of Tarazona was exempted from paying the *exercitus* because its members were coming on campaign.⁷ The precise role which *mudéjar* levies took in the royal forces remains unclear, but they certainly served actively in combat roles, as their reputation for crossbowmanship shows.⁸ Some Aragonese *mudéjares* were even known primarily by their military profession, undoubtedly due to the skill or frequency with which they practiced it. Hence, a list of *franci* of Zaragoza notes an "Illel Balestero," and a certain Hali, a crossbowman (*ballester*) of Zaragoza, is mentioned in an order to investigate Aljaffar, his *nuncius*, who was embroiled in the affair of some stolen fabric in Lleida.⁹ Ali Mariner, a crossbowman of the king, was pardoned in 1290 for killing a member of the English royal household in Alagón.¹⁰ Much feared by the French during their invasion of 1285, the accuracy of Muslim crossbowmen was such that one of their number,

³ See ACA, C., reg. 841, f. 49 v. (17 November 1384), ed. in M. T. Ferrer i Lallol, "The Muslim *Aljama* of Tortosa in the Late Middle Ages: Notes on Its Organisation," *Scripta Mediterranea* 19–20 (1998–1999): 160; and M. Meyerson, "The War Against Islam and the Muslims at Home: The Mudéjar Predicament in the Kingdom of Valencia during the Reign of Fernando 'el Católico'," *Sharq al-Andalus* 3 (1986): 104.

⁴ ACA, C., reg. 62, f. 143v (17 May 1285).

⁵ Two months after Alfons had summoned his forces, few troops from Aragon had yet arrived at the front: Hillgarth, *The Spanish Kingdoms*, 1, p. 258.

⁶ ACA, C., reg. 86, f. 178v (13 August 1291). ⁷ ACA, C., reg. 324, f. 112v (31 January 1295).

⁸ A levy of 1293 called on the 200 best Muslim crossbowmen of Valencia: ACA, C., reg. 98, f. 118v (30 May 1293). In 1284 a grant of *franquitas* was given to a company of crossbowmen, perhaps one of those summoned from Valencia by Pere II to protect the frontiers of Catalonia and Aragon against French attack: ACA, C., reg. 46, f. 176v (16 April 1284); *CODOIN*, IV, p. 196. Torró discusses the Muslim *ballesters* of Valencia in detail in *El naixement d'una colònia*, pp. 38–42.

⁹ "Hali" may be the same "don Ali el Ballestero" who owned a shop in Zaragoza – a fact which might explain his role in the theft of cloth: Bofarull, *El registro del Merino de Zaragoza*, p. 20.

¹⁰ ACA, C., reg. 22, f. 98v (6 August 1278); ACA, C., reg. 89, f. 94v (15 May 1295); ACA, C., reg. 78, f. 64v (8 April 1290), cit. in Lourie, "Anatomy of Ambivalence," p. 73.

perched atop the walls of Girona, was said to have fired a bolt through the window of a nearby church and killed a French “count” whom he had espied lying inside, convalescing on a cot.¹¹ Whether *mudéjar* soldiers served in integrated companies or under *mudéjar* NCOs is unclear, but a document of 1295 which grants *franquitas* to a group of Muslims and Christian crossbowmen stationed in Girona implies that these were members of a single “unit.”¹² Valencian *mudéjares* may have served in separate units under their own commanders, but they also served in mixed companies, while foreign *jeneti* were sometimes put in command of Christian troops.¹³

At times the military obligations of *aljamas* were commuted to monetary payments, but this hardly indicates that *mudéjares* were not trusted to serve in battle; rather it reflected the circumstances and needs of the count-kings. In 1277, for instance, the Muslims of Alagón were given the option of paying 1000 *solidi jaquenses* or joining the king on campaign. The timing of this levy suggests that Pere II did not have significant misgivings about letting *mudéjares* participate in the *guerra Sarracenorum*.¹⁴ Commutations of military service to cash were also made for Christian constituencies and can be seen as part of a general trend to convert taxes and services in kind to taxes in coin. Individual documentary notices that Muslims were not required to do military service must be interpreted with care, and cannot be construed automatically as being indicative of royal attitudes to Muslims *per se*. A letter of 1285 from Pere II to the Muslims of various towns of the Ebro and Jalón, including Almonacid de la Cuba, ordered payment of the *redemptio* because they “did not come on campaign in defense of Us and Our land.”¹⁵ Yet three years earlier the Muslims of the same town had been pardoned certain debts as recompense for military service to the same king.¹⁶

¹¹ Desclot, “Llibre del rei en Pere,” p. 571, chap. 163.

¹² ACA, C., Pere II, pergs., carp. 117, no. 485 (26 June 1285). Desclot recounts that when Pere II was charging Ramon Folch with the defence of Gerona, he instructed him to muster eighty knights (“cavallers ab llurs armes de cos et de cavalls”) and 2500 foot soldiers. Six hundred of these were to be crossbowmen “among whom there should be six hundred who are Muslim crossbowmen from the Kingdom of Valencia and who carry heavy [‘two-foot’] crossbows” – probably including the *ballesters* of the preceding document (“entre els que havia sis-cents qui eren ballesters sarrains del regne de València e portaven tuit ballestes de dos peus”: “Llibre del re en Pere,” p. 155, chap. 153).

¹³ See p. 292.

¹⁴ ACA, C., reg. 39, f. 227r (28 July 1277). The term *guerra Sarracenorum* (‘the Muslim War’) referred to the *mudéjar* revolts of the Kingdom of Valencia in 1276–1277 and 1287.

¹⁵ “quia non venistis ad exercitum nostrum pro deffensionem nostram et terre nostre . . .”: ACA, C., reg. 58, f. 98r (26 June 1285).

¹⁶ ACA, C., reg. 59, f. 80v (September 1282).

Muslims and Christian society

Civil defense

In addition to serving in royal forces Muslim villagers, like their Christian neighbors, were expected to contribute actively to their own defense and that of their lands. Hence, in 1287, when the magnates (“richos homnes”) of Aragon rose up against Alfons II in the so-called *Uniones*, the Muslims of Almonacid de la Sierra and Alfamen were ordered to take refuge in the castles of those towns and aid the garrisons. Mussa, apparently the *aljama* leader, was commanded to post ten men in the fortress of Almonacid to supplement the loyalist Artal de Luna’s retainers.¹⁷ Similar orders were given to Christian subjects, such as the “homin[es]” of Paçels, who were ordered under threat of fine and imprisonment to “diligently” (“diligenter”) guard the local castle.¹⁸ Whether *mudéjares* were members of the paramilitary councils which typified frontier settlement is another matter. The silence of the sources on Muslim membership speaks volumes, and the general trend towards judicial and administrative autonomy would suggest that they did not – a line which historians of the municipal militias have followed. But the documents hint at a different reality.¹⁹ In fact, an Andalusi *fatwā* promulgated by the *mufī* Yaḥyā and ratified by Ibn Rushd (d. 1126) refers to Muslims who remained in “Barcelona” (referring to the County) for more than a year after the Christian conquest, and who had taken to accompanying the Christians on their raids on Islamic lands. The *fatwā* declares them to be “brigands,” but stopped short of qualifying them as apostates by virtue of their implication in Christian attacks against Muslims.²⁰

An example of *mudéjar* involvement in municipal councils can be seen in 1262, when Jaume I confirmed a settlement between certain inhabitants of Tarazona, led by Petrus Valerii and the “whole council [of Aranda], both Christians and Muslims” (“totum concilium tam Christianos quam Sarracenos”) who were represented by four Christian and two Muslim members. During the war with Castile Petrus and his associates had seized a quantity of livestock from neighboring Agreda, which they had herded into lands belonging to Aranda. The Muslim and Christian council of Aranda took the opportunity to rustle the animals in question, for which they were ordered by royal magistrates to compensate Valerii and his “socii” with 600 *solidi* in cash.²¹ In the end, the council paid the compensation partly in kind, with nine oxen, each valued at thirty-five

¹⁷ ACA, C., reg. 70, f. 174r (1 September 1287), also cited below, p. 274.

¹⁸ ACA, C., reg. 70, f. 177r (2 September 1287).

¹⁹ Historians of municipal militias tend to present these in the context of a Christian “Reconquest,” with Muslims invariably taking the role of opponent, e.g. Powers, *A Society Organized For War*.

²⁰ Lagardère, *Histoire et société en Occident musulman au moyen âge*, pp. 71–72, doc. 1: 290.

²¹ ACA, C., reg. 12, f. 8r (18 February 1262).

Muslims under Christian rule

solidi. Had the Muslims not been required to render service along with the town's Christians they would have certainly protested their judicial implication in the affair. Further, the fact that the amount was paid partly in kind indicates that the Muslims and Christians of Aranda shared in a fairly sophisticated corporate life – one which enabled them to act together, raising funds or material (the oxen) as a group, and to share legal responsibility.

This was not an isolated occurrence. In 1283 Petrus Martini Rapaç of Tarazona complained to the court that Petrus, the *alcaydus* of Grisén, had led a band of Christians and Muslims who rustled a herd of 260 sheep and goats which belonged to him.²² Nine years later Jaume II absolved a Christian of Castile of the ransom which he had pledged to his Aragonese captor, Mahomet Algezir, on account of the truce and prisoner exchange which had been agreed to between the two kingdoms.²³ In other circumstances Muslims and Christians cooperated in hostile acts against inhabitants of other locales, as reflected by a complaint from the Temple Commander of Calatayud that Luppus (Lope) Ferrench de Luna was forcing his Order's Muslim vassals and *exarici* in Masones to aid him in his private vendettas.²⁴ The point that spurred the king's reaction in that case was that this act broke with Temple privilege; the fact that Muslims were involved was incidental. Given the propensity of the Christians and Muslims of Borja to act together in other illegal or marginally legal acts, there is no reason to assume that Muslims did not take part in their raids, such as those of the "knights and other men" ("milites et alii homines") of Borja, who attacked the lands of Magallón, carrying off both captives and booty.²⁵ Much as the character of municipal militias may have been shaped by their position on the frontiers of Christendom, by the late thirteenth century this front line had shifted far from the lands of the Ebro. In this region intermunicipal raids had little or no sectarian dimension and there would have been little impediment to *mudéjar* participation.

Exercitus as a privilege and an imposition

Exercitus was a duty and a royal imposition and, just as with other obligations or taxes, when the Christians and Muslims of a given town were left to decide their communities' relative contributions, sectarian tensions often developed. An example can be seen in the long-drawn-out controversy between the Muslim and Christian inhabitants of Sant Esteban de Litera regarding military service over the last three decades of the

²² ACA, C., reg. 61, f. 183r (30 July 1283). ²³ ACA, C., reg. 91, f. 36v (18 February 1292).

²⁴ ACA, C., reg. 90, f. 226r (10 January 1292); ed. Moxó *La Casa de Luna*, p. 345, doc. 39.

²⁵ ACA, C., reg. 81, f. 47r (7 March 1289).

thirteenth century. The villagers' obligations had been established as early as 1272, when the Bishop of Lleida was granted the castle and village *in perpetuum*, with all of the taxes and duties which pertained to the king, including "*exercitus and caualgatas.*" All of the inhabitants, Christian and Muslim, were bound to contribute.²⁶ Thus, in September 1277 Pere II levied the *redemptio* on the town, ordering the Muslims to pay 500 *solidi* and the Christians 2000. But in the levy of 1279 the Muslims pleaded poverty and the king excused them "by special grace" ("*de gratia speciali*") from the military service which they had been called upon to render in the Pallars.²⁷

Over the following years the *aljama* endeavoured to convert this temporary injunction into a standing privilege, and when the bishop's *vicarius* forced them to campaign in the Pallars in 1294, they used the exemption of 1279 as the basis for a claim that they owed no such service at all. Apparently the Muslims had put up some resistance, given that they complained that they had been compelled "violently" ("*uiolenter*") to go on campaign with the Christians, with their persons and goods under threat.²⁸ When an inquiry was held a year later, the royal *baiulus* found in the Muslims' favor despite the claims of Christian townsfolk that the *mudéjares* were indeed obliged to do military service with them ("*una cum Cristianis*"). All goods seized from the Muslims by the municipal officials were ordered to be returned.²⁹ Not surprisingly, community relations in Sant Esteban began to sour. Already in 1294, the town's Muslims had complained that a gang under the leadership of the *baiulus* ("*baiulus seu familia eius et aliqui homines dicti loci*") had been attacking them, seizing fields, damaging crops, invading homes, and violently carrying off or vandalizing property. The town's *jurati* were ordered to protect the Muslims so that they would have no further need of recourse to the king.³⁰ But just six months later, the Christians of the town were reprimanded again. This time, they had forced the Muslims to contribute 1000 *solidi* to a special royal tax which had been levied on them alone, and they were ordered to return the goods which they had embargoed from the *mudéjares* for its payment.³¹ Finally, a year after the inquiry which had found in the *aljama*'s favor in the matter of the *exercitus*, the Muslims

²⁶ ACA, C., reg. 21, f. 20r-v (26 April 1272).

²⁷ ACA, C., reg. 40, f. 18r (21 September 1277); ACA, C., reg. 253, f. 35v (16 July 1297). The County of Pallars in the Pyrenees bordered on Foix, an autonomous principality which through the late thirteenth century regularly supported neighboring Catalan counts in their disobedience to Barcelona.

²⁸ ACA, C., reg. 99, f. 180v (27 May 1294).

²⁹ ACA, C., reg. 101, f. 299r (1 September 1295); ACA, C., reg. 101, f. 299v (1 September 1295).

³⁰ ACA, C., reg. 99, ff. 180v-181r (27 May 1294).

³¹ ACA, C., reg. 100, f. 158r (15 October 1294).

complained again that they were being forced to do military service. This time it was not the bishop, but the townsmen themselves (“homin[es] de Sancto Stephano”) who had obliged them, and Jaume II ordered them to desist.³² Thus, based on their apparently fraudulent claims, the Muslims won the battle with their Christian townfolk. But it seems that they lost the war. The atmosphere of antagonism which resulted from the conflict must have made daily cohabitation and commerce difficult, for in 1297 thirteen of the town’s Muslims filed for bankruptcy and were given six months to sell assets and raise funds to satisfy their creditors.³³ It would not be too much literary license, perhaps, to imagine a smile of satisfaction on the face of the *baiulus*.

Clearly, military service could be seen by Muslims as either an opportunity or a burden. When Atiar Dauí Zafont, a Muslim of Huesca, and his son Mafomet were given a grant of royal *franquitas* in 1260 it included freedom from any military duties or their cash redemptions.³⁴ The municipal council of Zaragoza showed its gratitude to Mahomat Dabdaylla de Foco for the work he had done on the bridge over the Ebro (“ponte ciuitatis”) by petitioning the Crown successfully for a lifelong *franquitas* for the *mudéjar*, including freedom from *exercitus* and *caualcata*, which local Muslims were normally liable for.³⁵ Receiving a dispensation such as this from an undesirable obligation is quite distinct from being prohibited from performing the duty itself; thus Atiar, Mafomet, and Mahomet Dabdaylla’s right *not* to contribute may have served psychologically to further fortify a sense of social participation inspired by the expectation of military obligation with an additional feeling of privilege at being exempted. Temporary dispensations were also granted to individual Muslims. In 1283, for example, the Bishop of Tarazona asked that Paschasio Dominici, the major-domo of his vicar in Calatayud, and Aliafet, the town’s *alfaquinus*, both be excused from that year’s muster because of their duties in the town’s castle. The future king, the *infant* Alfons, granted the petition.³⁶ Similarly, in 1291 Jaume II ordered the castellan of Ariza not to force local Muslims to garrison the fort, because this would violate their privileges.³⁷

If Muslims were loath to take part in campaigns against Christians in nearby Pallars, their feelings would have been even more ambivalent when they were ordered to contribute to the *guerra Sarracenorum* or against other Muslim foes. Indeed, out of either sensitivity or distrust, Pere II

³² ACA, C., reg. 103, f. 286v (16 March 1296).

³³ ACA, C., reg. 109, f. 194r-v (9 August 1297).

³⁴ ACA, C., reg. 11, f. 174v (23 August 1260).

³⁵ ACA, C., reg. 78, f. 18v (4 December 1288).

³⁶ ACA, C., reg. 62, f. 11v (11 September 1283).

³⁷ ACA, C., reg. 90, f. 111r (25 October 1291).

informed the Muslims of Tarazona, Torrellas, Borja, Luceni, Alfamen, and Almonacid de la Cuba that their personal presence in the Valencian campaign was not desired: “it pleases us that you remain out of the army which We have ordered you to accompany to Valencian lands, and moreover that you give two thousand *solidi* of Jaca as a redemption.”³⁸ This seems to contradict the spirit of the order given to the Muslims of Alagón in 1277 (see p. 264), which may indicate that Muslim communities’ loyalties were assessed individually, or it may have been simply because at that point Pere had greater need of cash than soldiers. When *mudéjar* communities like that of Sant Esteban attempted to avoid military service, their motive had nothing to do with their condition as Muslims – the *exercitus* was a tax (whether paid in “kind” or cash) and subjects of every faith sought to evade it. Christians were not necessarily any more forthcoming; thus, in 1289 Alfons II ordered Petrus Peregrinus to compel the Christians and Muslims of Monzón and its bailiwick who had not contributed to the *exercitus* to pay up.³⁹ Even the prospect of fighting the infidel was not always enough to inspire Christians; hence Pere II’s complaints of widespread non-compliance and desertion on the part of the inhabitants of Barbastro and Huesca during his campaign against the rebellious Muslims of Montesa.⁴⁰

Other defense-related duties in the thirteenth-century Crown included the obligation of members of all faiths to maintain municipal defenses, including town walls. In 1283, in response to the French threat which was provoked by Pere II’s seizure of Angevin Sicily in the previous year, the *infant* Alfons ordered the Christians (including *infanzones* and *religiosi*), Muslims, and Jews of Daroca, Borja, Barbastro, Huesca, and subsequently of all the towns of the realm, to repair their defenses.⁴¹ But such orders did not always meet with enthusiastic compliance, leading Muça de Portella to complain of widespread resistance to the order.

³⁸ “placet nobis premaneat[is] [sic] ab exercitu in quo ad partes Valentiae vos venire mandauimus; etiam quod donetis pro redemptione duos milia solidos Jaccenses”: ACA, C., reg. 39, f. 223r (2 August 1277).

³⁹ ACA, C., reg. 80, f. 41r (4 September 1289).

⁴⁰ Soldevila, *Pere el Gran*, II, p. 105, doc. 98 (no date, 1277).

⁴¹ ACA, C., reg. 61, f. 132r (20 May 1283); ACA, C., reg. 61, f. 126v (14 May 1283); ACA, C., reg. 61, f. 120v (12 May 1283); ACA, C., reg. 61, f. 114r (7 May 1283). Early in March 1282, the inhabitants of the island rose up in what came to be known as “the Sicilian Vespers,” and massacred their Angevin occupiers. Pere was welcomed as the new king, much to the displeasure of the French Crown and its ally, the Papacy. In 1285 Philippe III (1270–1285) invaded, having been given the blessing of Pope Martin IV (1281–1285) and aided by Pere’s inimical brother, Jaime II of Mallorca (1276–1311). Despite initial difficulties and although the French briefly seized Gerona, Pere rallied and ultimately drove the enemy back in defeat. The French threat was formally withdrawn with the signing of the Treaty of Anagni (1295). See Bisson, *The Medieval Crown of Aragon*, pp. 86ff.; Hillgarth, *The Spanish Kingdoms*, I, pp. 254ff.

Muslims under Christian rule

Alfons was clearly nonplussed, noting that these measures were “for the common good [of the townsfolk] and their own defense.”⁴²

In other instances, the spontaneous participation of the Muslim citizenry in civil defence was noted and rewarded. Thus, in 1289 Alfons II rewarded the Jews and Muslims of Ariza for their defense *in armis* of their town, granting them a remission of the 140 *solidi* which they owed for *monetaticus* (a tax which had no relation to military duty).⁴³ Similarly, the Muslims of Alfamen were recognized for their loyalty when they were excused from a punitive fine levied for the siege of the Castle of Bardallur in which, it came to light, they had not taken part. A quantity of cloth which Alamannus de Gudal had apparently seized from the community by way of reparations was ordered to be returned.⁴⁴

The hue and cry

Formal warfare aside, these were dangerous times, with banditry, feuding, and noble violence posing a constant threat to subjects of all faiths. As a consequence, it was not only in the face of foreign military threat but also in situations of organized and spontaneous criminal violence that members of the various communities were obliged to defend themselves and each other. Subjects had a duty to respect each other's rights, and the responsibility for mutual protection (legal and physical) between different community and administrative bodies was multilateral. Hence the parallel orders issued to the Christian authorities of Pradilla and to Abenhido, the representative of the *aljama* of Luceni, to “protect and preserve” (“manuteneant nec permittent adgravari”) that town's Commander, their lord.⁴⁵ When the *infant* Pere II put the Muslims of Fesch (near Balaguer) under his special protection, the *guidaticum* specified that they be protected from the violence of Christians, but also warned them not to mistreat their Christian neighbours (“malum non faciant Christianis”).⁴⁶ When the hue and cry was raised locally, townsmen of the Crown were expected to assemble to defend the community as a whole. For example, villagers in the diocese of Gerona were given a general order to assemble whenever the area was attacked by “bandits and other malefactors” (“bannitis et aliis malefactoribus”). At the sound of the alarm, they were to assemble armed and prepared to fight.⁴⁷ In 1290, Alfons had it proclaimed throughout

⁴² “cum ipsum opus fiat ad communem utilitatem et deffensionem ipsorum . . .”: ACA, C., reg. 61, f. 138v (26 May 1283).

⁴³ ACA, C., reg. 80, f. 94v (15 November 1289).

⁴⁴ ACA, C., reg. 81, f. 145r (5 August 1290). Alamannus de Gudal was *superiunctarius* of Tarazona at the time (see pp. 383ff).

⁴⁵ ACA, C., reg. 61, f. 171r (29 May 1283). ⁴⁶ ACA, C., reg. 38, f. 62v (29 October 1276).

⁴⁷ ACA, C., reg. 70, f. 20r (22 October 1286).

his lands that at the sound of the alarm all of his subjects, noble, common, or of any other condition, were to muster for local defense; parties who defied such orders were liable to prosecution.⁴⁸ This was obviously the confirmation of an existing law, given that in 1285 the Muslims of Alfamen faced an inquiry after they ignored the alarm sounded by a Jewish household which had been attacked by Christians.⁴⁹ Unfortunately there is no explanation of the circumstances behind this attack. The Jews in question were out-of-towners, from Zaragoza; if they were creditors on business, the Muslims' non-participation may have been a tacit expression of approval of the attack. On the other hand, the *mudéjares* may have been intimidated by the violence of the mob, or merely indifferent. In a similar case in Valencia, the Muslims of Anna were charged with the responsibility for the disappearance of their *alcaydus*, who had been fishing with them. When he turned up later as a captive in Jumilla (in Murcia, an Islamic dependency of Castile), the town's lord, the Commander of Montalbán, arranged for a ransom, but petitioned the king to make the Muslim community liable for its payment.⁵⁰

Due to their secondary social and legal status, Muslims and Jews may figure more prominently than Christians as victims of criminal violence, but Christians were vulnerable as well, and intervening in the defense of their *mudéjar* neighbors exposed them to the dangers. In the wake of the nobleman Petrus Vera's attacks on the lands of Aranda in 1290, the Christians of the town were reminded by the king that they had a responsibility to "guard, maintain, and defend" ("custodiant, manuteneant, et deffendant") their Muslim neighbors. But they had not, in fact, been negligent. After the initial incident, when three Muslims had been carried off by the renegade baron to sell at the slave market of Calatayud, a party of Muslim and Christian townsmen went to rescue their neighbors, but they too were abducted.⁵¹ Thus, general orders of protection (*guidat-ica*) which underlined the count-kings' intentions to defend all of their subjects were frequently issued. For instance, in 1294 Petrus Sancii, *justicia* of Calatayud and *superiunctarius* of Tarazona, was ordered to maintain and defend the Order of the Holy Sepulcher in Calatayud, including its Christian and Muslim subjects and their property and goods.⁵² Indeed, minorities were not the only ones in need of special protection. An order issued by the *infant* Pere in 1295 called for his subjects to respect Sibilía, the widow of Guillermus Alcalano, and protect her property in Masones — prefacing the letter with a reminder that "in principle, widows and orphan

⁴⁸ ACA, C., reg. 81, f. 7r (13 January 1290).

⁴⁹ ACA, C., reg. 56, f. 62v (14 April 1285).

⁵⁰ ACA, C., reg. 40, f. 92v (24 April 1278).

⁵¹ ACA, C., reg. 85, f. 180r (14 June 1290), cit. Lourie, "Anatomy of Ambivalence," p. 67, n. 204.

⁵² ACA, C., reg. 89, f. 39r (22 November 1294).

Muslims under Christian rule

children are under Our protection and command, and that of the said lord king.”⁵³ This order recalls Jaume I’s formulation of the “Peace of God,” which specified protection for widows, minors, orphans and “other poor people” (“et las otras personas pobres”), including Jews and Muslims.⁵⁴

Muslims and Christians in joint administrations

Official integration in mixed councils, along with administrative initiatives sponsored by members of both communities, acted to further enmesh Muslims with their Christian neighbors and encourage a sense of community which crossed confessional lines. In the context of conciliar activities *mudéjares* were not always marginalized to the extent suggested by municipal codes. The *Costums* of Tortosa, for instance, declared that when the *curia* of the town met the benches were to be reserved for Christians, and Jews and Muslims were to sit on the floor. As much as a conscious effort to marginalize non-Christians, this was an expression of the accepted social hierarchy: Muslims’ expectations as a subject people would have included their exclusion from certain official spheres and the recognition of their community status as secondary. Given this, we should not assume that the symbolic representation of their status in public would be a source of humiliation or discomfort.⁵⁵ One may recall that the general Arabic and Maghribī custom is to sit (on cushions) on the floor. Hence, when Jaume I sent his envoys to negotiate the surrender of Muslim Minorca, they were welcomed by the *alcaydus* and “the elders”, who, once the Christian ships had docked, sent for mats and cushions so that all could kneel together.⁵⁶ Further, archeological studies support the contention that *mudéjares* tended to own less furniture than their Christian neighbours, and used carpets and mattresses, rather than tables and chairs, for sitting.⁵⁷

The *Costums* also prohibited non-Christians from holding certain offices, but they were not the only subjects who were restricted in this regard. The groups prohibited from serving as *vergers* and *battles* of the town included not only Jews and Muslims, but “heretics” and any Christians who were not of good reputation or who had prejudiced their

⁵³ Here recalled by the *infant* Pere in the name of Alfons II, “Quod domine vidue generaliter et pupilli orphani sunt sub protectione et comanda dicti domini regis et nostra . . .”: ACA, C., reg. 89, ff. 115v–116r (19 July 1295).

⁵⁴ Vidal, II, p. 463, sec. VIII: 4.5a. For the Peace and Truce up to the reign of Jaume I, see T. N. Bisson, “The Organized Peace in Southern France and Catalonia, ca. 1140–ca. 1233,” *The American Historical Review* 82 (1977): 290–311.

⁵⁵ Massip, *Costums de Tortosa*, p. 71, sec. 1.9.5.

⁵⁶ Jaume I, “Crònica o llibre dels feits,” p. 60, chap. 119.

⁵⁷ Gerrard, “Opposing Identity,” p. 156.

neighbors in either word or deed, not to mention all women and all minors of age.⁵⁸ Thus, the prohibition was not aimed at Muslims *per se*, but against anyone who was not in the fullest sense an upright Christian subject and who did not have the authority to take the (Christian) vows associated with office.⁵⁹ On the other hand, ordinances like Jaume I's decree of 1264 which banned Muslims from performing the duties of hangman in Aragon were probably indeed motivated by sectarian concerns – out of both a sense of moral propriety vis-à-vis the subject status of Muslims, and an appreciation for the potential popular unrest which such activities might provoke.⁶⁰

The Church, for its part, explicitly prohibited Muslims and Jews from holding offices of authority in Christian administration, a proscription which was ratified at Lateran IV (1214) by Innocent III:

Since it would be absurd beyond measure that a blasphemer of Christ should exercise the force of authority over Christians, We . . . resolve to prohibit Jews being placed in public office, since many might infest the Christians under such a pretext.

The pope concludes by extending the prohibition to “pagans” – meaning Muslims.⁶¹ In fact, the Church's tradition of excluding Jews from office goes back as far as a decree issued in 439 by the Emperor Theodosius, and was subsequently incorporated into the *Codex Iuris Civilis* in 533. In the Middle Ages it was reaffirmed at Lateran III (1179) and enshrined in the *Decretales* (1234) of Gregory IX (1227–1241), while in Iberia, the tradition can be traced to the Visigothic *Liber iudiciorum*.⁶² But this, like so many of the ecclesiastical ordinances regarding minorities, went largely ignored in the Crown.

Despite the dictates of canon law and local codes, Muslims did indeed participate in municipal administration. For instance, when the council of Aranda was summoned to the royal court in 1262 to answer charges that

⁵⁸ Massip, *Costums de Tortosa*, p. 430, sec. 9.8. The same law code restricted the office of attorney (*avocat*) to men over the age of twenty-five who were Catholic, not excommunicate, nor apostate, nor heretic, nor of bad reputation (*ibid.*, p. 97, sec. 2.7.3).

⁵⁹ See also p. 272, above.

⁶⁰ AHN, Cod. 54b, pp. 109–110 (3 March 1264). A now lost document recorded the same law being promulgated in Ejea de los Caballeros a day earlier (RAH, Salazar 9/761, f. 46r.)

⁶¹ “Cum sit nimis absurdum ut Christi blasphemus in christianos uim potestatis exerceat . . . nos . . . innouamus, prohibentes ne Iudei officii publicis preferantur, quoniam sub tali pre-textu christianis plurimum sunt infesti . . . Hoc idem extendimus ad paganos.” A. García y García, *Constitutiones concilii quarti lateranensis una cum commentariis glossatorum* (Vatican: Biblioteca Apostolica Vaticana, 1981), pp. 108–109, sec. 69.

⁶² Romano, “Cortesianos judíos en la Corona de Aragón,” p. 25; *Fuero juzgo en latín y castellano*, p. 200, sec. XII.III.19.

Muslims under Christian rule

its members had rustled livestock the four Christians and two Muslims (Mahomet de Maymon and Ebrahim Çaragozan) who appeared on behalf of the municipality “spoke for themselves and for the whole council of Aranda, both Christians and Muslims.”⁶³ In another case, in 1291, the *concilium* of Alhamén presented complaints to Jaume II that their rights to pasturage had been abused by the *homines* of neighboring La Almunia de Doña Godina, Cabañas, Calatorao, Longares, Pila de Muell and other hamlets, who had built shepherds’ huts within the town’s territories. The plea was served by Çalema de Ricla and Jucef filius Mahomet Dalhocho, designated as *procuratores* of the town council.⁶⁴ In another case, in 1287 Johannes Aluieda of Saviñán complained that his property had been illegally repossessed by the *jurati* of the town, Petrus Uicenti and Aparicius Abdelmalic.⁶⁵ In the examples above, Mahomet and Ebrahim are not referred to as *Sarraceni*, while Çalema is described as a *vicinus* of Alhamén, presumably because in these contexts their religious identity was not considered relevant. The identity of Aparicius Abdelmalic is uncertain, but given that Muslim converts didn’t normally keep their Arabic names and Mozarab surnames had long faded from use, Aparicius was probably a *mudéjar* using a Christian cognomen. Naturally for more formal assemblies, or for those which related to Christian communities *per se*, Muslims would not have been eligible to serve as representatives, nor would they have been chosen. Thus, the *procuradores* sent by the towns of Aragon assembled *en masse* in Zaragoza to defend municipal rights in 1283 were all Christian.⁶⁶

A very surprising notice of 1303 seems to refer to a Muslim who was *baiulus* of Malón. This individual had been killed by Eximinus, son of Garsius Petri of Malón, who had then taken refuge on the estate (“in domibus”) of the knight (“miles”) Martinus de Fonçe. When the *alcaydus* and members of the council of Malón came in search of the fugitive, they were surprised by the arrival of a certain Christian noblewoman, Maria. She had come to the rescue of the perpetrator at the head of a large band of armed men, and forced her way onto the property, carrying the culprit off to safety against the objections of the council. In response, Jaume II ordered the *superiunctarius* of Tarazona to seize all of Maria’s goods and arrest her and her accomplices and bring them to trial.⁶⁷ The dramatic

⁶³ “per se ipsos et per totum concilium de Aranda, tam Christianos quam Sarracenos”: ACA, C., reg. 12, f. 8r (18 February 1262).

⁶⁴ ACA, C., reg. 90, f. 162v (19 November 1291).

⁶⁵ ACA, C., reg. 70, f. 88r (13 April 1287).

⁶⁶ E.g. Canellas, *Colección diplomática del concejo de Zaragoza*, II, pp. 215–216, doc. 315 (Pina), 216–7, doc. 316 (Huesca), 222–3, doc. 319 (Tauste), 223–224, doc. 320 (Daroca), 225, doc. 321 (Tiermes).

⁶⁷ ACA, C., reg. 129, f. 124r (20 October 1303), cit. BMA, p. 291, doc. 800.

events recounted in this single document suggest not only that Muslims did indeed occupy formal administrative positions in integrated councils or seigniorial jurisdictions, but also that they could enjoy a wide base of support among their Muslim and Christian constituents. For her part, the noblewoman Maria may not have come to the rescue of the murderer strictly out of sympathy, but rather out of antipathy to the *aljama* of Malón, whose murdered official may have been behind the legal suit which three years earlier had forced *her* Muslim vassals living in the town to contribute to *aljama* taxes. A score had been settled.⁶⁸

Muslims are sometimes described alongside Christians as *boni homines* or *homines*, indicating that they were not necessarily considered morally second-rate or generically inferior. Context dictated how people were perceived. Thus, in the certificate of *franquitas* granted to Salema Pox and his son Ali, the former is described merely as a *ciues* of Zaragoza.⁶⁹ In fact, Muslims were frequently designated as *vicini* (“inhabitants”), with no reference to their religious identity. The fact that *mudéjares* could be recognized as *boni* or *probi* meant that, aside from serving as official representatives, they could be asked to act as signatories in disputes between mixed-population municipalities. In a boundary dispute of 1232 between the town of Fraga and the religiously mixed village of Torrente (a dependency of the Hospital of Amposta), each party elected four representatives, all of whom were Christian, but when the moment came to authorize the settlement, the representatives of the *homines* of Torrente included no less than nine Muslim signatories.⁷⁰ The document makes it clear that these were not merely witnesses, but participating parties whose willing assent was needed to conclude the agreement. In a similar controversy between Longares and Alfamen, Christians and Muslims of both towns were called to testify, while an earlier lease of water rights granted by the Monastery of Veruela was signed by five “good men” (“*bonos homines*”), including Abdela Zabeçala (the *sabasala*?) of Borja and Calema Muet of Magallón.⁷¹ On the other hand, Muslim representatives were not always involved in municipal negotiations. For example, a boundary inquest between the councils of Ejea and Tauste (where there was a *mudéjar* population) concluded with the participants swearing an oath on the Gospels, implying that it was negotiated by Christian parties only.⁷²

⁶⁸ See above, p. 137. ⁶⁹ ACA, C., reg. 11, f. 185r (8 December 1260).

⁷⁰ AHN, Cod. 659b, pp. 72–78 (8 September 1232).

⁷¹ Canellas, *Colección diplomática del concejo de Zaragoza*, 1, pp. 206–208, doc. 104; AHN, Cod. 995b, f. 49r–v (October 1227).

⁷² RAH, Bauer y Landauer 9/6125, no. 214 (May 1248). On the other hand, the recording scribe may merely not have noted the participation of Muslims, if the Christians’ guarantees were considered sufficiently binding.

Muslims under Christian rule

Naturally, when different municipalities interacted bonds based on local affiliation frequently took precedence over religious solidarity. For example, when the council of Illueca came into conflict with a group of landowners, local interests brought the Christians and Muslims of the town council together in a suit against their Muslim adversaries, who hailed from other towns. As a result of the conflict, the plaintiffs, among whom were relatives of officials from neighboring *aljamas* (the sons and brothers of the *sabasala* of Ricla, and the son of the *alfaquinus* of Brea) had complained to Pere II that the Christians and Muslims of the council had seized the fields which they owned within its municipal bounds.⁷³ Disputes over community rights such as water-sharing, and municipal development projects like irrigation canals, also pitched inhabitants of neighboring villages against each other or bound them together, irrespective of religious identity. Thus, in 1208 the “subjects [*homines*] of Cabañas, including soldiers [*milites*], and Muslims and Christians” squared off against their counterparts in Ricla.⁷⁴ Conversely, as noted above, the councils (specified as including Christians and Muslims) of Rueda and Belchite cooperated to construct the irrigation channel (*azud*) of Lagata.⁷⁵

Muslims’ experience with irrigation techniques and familiarity with land disposition endowed them with authority in water and land disputes, particularly in the first decades following the conquest. Many inquests are recorded in which the elders of an area, either Muslims in particular or Muslims and Christians together, were consulted to resolve uncertainties of this sort. Hence, in 1148 the boundaries between Ambel and Trahit were set by committees of Muslim and Christian townsmen from the two villages and from neighboring Bolbon.⁷⁶ But Muslims’ role in such inquests was not limited to the post-conquest era, and should not be interpreted as a recourse which was had only in the absence of suitable Christian authorities. In 1291, after nearly two centuries of Christian domination and settlement, the *infant* Pere ordered a boundary dispute between Agreda and Bocayren to be resolved by the “counsel of trustworthy male elders” (“*consilio proborum hominum antiquorum*”),” including both Christians and Muslims.⁷⁷ Also, in 1344 at an inquest into the boundaries between Caspe and Escatrón, representatives of the latter included “Domingo Ferrero, Pero d’Asin sworn in by the Christians, and

⁷³ ACA, C., reg. 48, f. 73v (22 July 1280).

⁷⁴ “*homines de Cabanas, videlicet milites, sarracenos et christianos*”: Canellas, “Colección diplomática de la Almunia de Doña Godina,” p. 227, doc. 23 (1208).

⁷⁵ See the document cited above, p. 191, n. 61.

⁷⁶ Vispe, “La fundación del monasterio cistercense de Viruela,” p. 313, doc. 9, cf. RAH, Abella 9/5185, leg. “Don Ramon Conde de Barcelona, Principe de Aragon” [loose] (June 1148).

⁷⁷ ACA, C., reg. 86, f. 121v (28 May 1291).

Muslims and Christian society

Mahoma el Calbo, Aly Calemam, and Culema Ferrero by the Muslims.”⁷⁸ The frequent boundary disputes between municipalities were not light matters, and could easily lead to violence if unresolved. In 1290 a conflict of this sort between the commanders and councils of Mallén and Novillas resulted in the wounding of a townsman. This prompted the commander and townsfolk of Mallén to mount a raid on nearby Razazol (which belonged to Novillas), sacking the fields and assaulting villagers. Intervention on the part of the *infant* Pere, acting for his brother Alfons II, was required to re-establish peace.⁷⁹ Individuals who served as guarantors in agreements over shared resources took responsibility for protecting the community as a whole, regardless of internal subdivisions. Thus, in a compact between the Templars and the people of Novillas over the sharing of a canal, the two Christians who witnessed the agreement are noted as guarantors of the Christian and Muslim inhabitants.⁸⁰ Conversely, the Muslims who acted as representatives for confessionally mixed collectives were given responsibility for the rights and obligations of their Christian neighbors.

Christians and Muslims as partners in crime

The crossing of civil and administrative responsibility over religious lines could also encourage Christians and Muslims to cooperate in the perpetration of criminal and violent acts against their fellows. For example, in 1295 Mariem of Teruel complained “tearfully” (“lacrimose”) to Jaume II that her husband, Mahomet de Cofridis, had been murdered, and that the deed had been carried out by several members of the *aljama* and by Eximinus de Tolia (then *baiulus* of the local Muslims). After the murder, the group forced Mariem to hand over the sixty *solidi* which they alleged her husband had been holding out on – a sum which the widow claimed her deceased husband neither owned nor owed.⁸¹ Widows seem to have been particularly vulnerable, as a similar case was reported in Saviñán in 1301, when the widow Axa and her daughter Xemçi complained that lands belonging to her deceased husband Mahomet had been seized unlawfully by the local *justicia* and certain local Muslims. The motivation behind the appropriation is not recorded; it may have been for debts, or it may have been a case of local solidarity versus an outsider – Mahomet

⁷⁸ “Domingo Ferrero, Pero d’Asin jurados de los cristianos et por los moros Mahoma el Calbo, Aly Calemam, [et] Culema Ferrero”: Contel, *El Císter zaragozano en el siglo XIII y XIV*, II, p. 194, doc. 198.

⁷⁹ ACA, C., reg. 85, f. 26v (7 June 1290).

⁸⁰ d’Albon, *Cartulaire général de l’Ordre du Temple*, p. 235, doc. 367 (1145).

⁸¹ ACA, C., reg. 101, f. 147v (16 June 1295).

Muslims under Christian rule

had formerly been the *qādī* of Xátiva in Valencia (further evidence, as it happens, of *mudéjar* mobility).⁸²

Muslims and Christians co-operated in a variety of illegal acts, both as communities and individuals, indicating a degree of mutual confidence which overrode any communal antipathies. Hence, in 1293 the Commander of the convent of the Holy Sepulchre in Calatayud complained that Christians and Muslims of Borja were aggrieving the Order by taking possession of its property.⁸³ It might be argued that such a case reflects motivational coincidence rather than collaboration, but in other instances communal action is clearly described. In 1285, for instance, certain Christians and Muslims of Pina attacked the synagogue of that town, damaging furniture and stealing a Torah and other items – an episode that was probably related to the long-simmering legal disputes between the Muslims and Jews of the town.⁸⁴ While it may be true that this act was aimed at a third community, a common rival of both groups, other cases show that the religious identity of their opponents did not present an obstacle for Christians and Muslims bent on extreme measures. For instance, the Commander of Alcañiz and his *fratres* conspired with the Muslims of Calanda for motives unknown to abduct and humiliate Bartholomeus de Archipresbitero of Teruel in 1293. After capturing him “under their own authority and without any just cause,” they held him captive for some days, starving him in an apparent effort at extortion.⁸⁵ Two years later the Muslims of the town had the temerity to appeal the compensation which they had been ordered to pay Bartholomeus for his abduction, and in 1301 the case had yet to be resolved by the courts.⁸⁶ In another case, in 1296 the alarm was sounded as a townsman of Espluga de Francolí (a dependency of the Templar Commandery of Barberà) pursued a party of raiders from nearby Vimbodí, who were apparently under orders of the *subvicarius* of Montblanc. In reply, the men of Espluga gave chase, overriding the objections of Ferrarius de Carcassona, the Temple Commander’s lieutenant. Reaching Milmanda farm (a property of Espluga near Vimbodí), they were met by monks and Muslims and other subjects of the nearby monastery of Poblet and, along with these, initiated a rock fight with the marauders. Various injuries resulted (including at least one to a monk), prompting Ferrarius to charge

⁸² ACA, C., reg. 120, f. 153r (25 November 1301), cit. BMA, pp. 251–252, doc. 687. For the general vulnerability of widows see also p. 272.

⁸³ ACA, C., reg. 94, ff. 86[67]v–87[63]r (1 March 1923).

⁸⁴ ACA, C., reg. 56, f. 62v (15 April 1285), see pp. 205ff.

⁸⁵ “propria auctoritate et sine aliqua iusta causa ceperunt ipsum . . .”: ACA, C., reg. 94, f. 173r–v (16 January 1293).

⁸⁶ ACA, C., reg. 101, f. 250r (24 July 1295); ACA, C., reg. 119, f. 70r–v (10 October 1301), cit. BMA, p. 246, doc. 669.

Muslims and Christian society

the *subvicarius* with violating the king's truce.⁸⁷ Plainly, although conflict between Muslims and Christians resulted when members of the two communities perceived of their interests as opposed (as when they were forced to share a tax burden), when they faced a common threat (or a common opportunity) they often drew together. Among peasants, the religious divide was not insurmountable and did not present an absolute barrier to cooperative resistance against Christian authorities.⁸⁸ Official Muslim participation in military activity was welcomed when danger was imminent, and *mudéjares* probably perceived of their ability to contribute as a liberty. When military service was presented as obligation, or when the security of the local community was not at issue, Muslims and Christians took whatever steps they could to avoid it.

MUDÉJARES AS "ENEMIES OF THE FAITH": CRUSADE AND FRONTIER

Mudéjares' practice of Islam made them potential converts for the Church, but also potential enemies. In a world where grandiose political ideals were framed largely in theological or confessional terms, one would expect "infidels" to be automatically perceived of as enemies in a religious and military struggle of cosmic dimensions. But, in examining the relationship between the Military Orders and *mudéjares*, as well as the concrete policies of kings, nobles, and the Church, it becomes clear that the Muslims of the Ebro were not seen as enemies to any great extent at this time. The frontier between Islam and Christendom, which itself was diluted by the flow of Christians and Muslims who continually passed across it, was only one of the "frontiers" which contributed to the shape of the society of the Crown. Further, the presence of foreign Muslim soldiers allied to the Crown in the Ebro region, coupled with the incursions of Christian enemies, mitigated the tendency to politicize religious differences.

The ambiguous relationship of ecclesiastical ideals and actual policies reaches the height of irony in the case of the Military Orders. Originally founded in the late eleventh century to facilitate the "liberation" of and access to the Holy Land, these organizations quickly evolved into a sort of seigniorial arm of the Church in the Crown, and became increasingly embroiled in regional affairs, estranged from the Crusade in ideal and

⁸⁷ ACA, C., Jaime II, pergs., no. 142, no. 686 (7 September 1296). As it happens, the townsman of Espluga whose pursuit initiated the events was himself a Hospitaller vassal.

⁸⁸ If, for example, Old Catalonia was more prone to unrest, the reason lay in factors unrelated to the near-absence of a Muslim population. See Freedman, *The Origins of Peasant Servitude in Medieval Catalonia* "Old versus New Catalonia," pp. 135-153.

practice, and focused on their own immediate ends.⁸⁹ In the Ebro region the orders were major administrators of Muslims and their territories. The Temple controlled a substantial patrimony along the lower Ebro and Segre rivers and in the Aragonese Extremadura, while the Hospitallers' territories were concentrated around Zaragoza and along the Jalón valley. Lesser orders, those of Calatrava, Santiago, and the Holy Sepulcher, also had properties south of the Ebro, concentrated along the Guadalupe, as well as in the region of Calatayud. Both the Temple and the Hospital courted prospective Muslim tenants with offers of protection and *frankitas* and supplemented their work force with slaves which they bought. Thus, in one day's shopping alone Petrus Derso, *decimarius* of the *domus* of the Temple at Barbastro, picked up four slaves at the market in Lleida, spending a total of thirty-eight *librae*.⁹⁰

The orders did indeed render military service during the *guerra Sarra-cenorum*, but this is appropriately considered in the context of a political rather than an ideological contest, and probably did not have any effect on their relations with their own Muslim dependants. In the lands of the Crown, the Military Orders did not carry on an independent military policy against the independent Muslims to the south, but performed military and administrative service for the kings. For houses far behind the lines of the Christian–Islamic political frontier, such as the Commandery of Alcañiz, summonses to fight the “enemies of the Christian faith” were rare in the late thirteenth century. In one such muster, Jaume II called on the Master of the Temple of Aragon and Catalonia, Berengerius de Cardona, to the Hospitallers, and to the Commandery of Alcañiz, demanding their presence in twenty-seven days' time at Valencia “for the defence of the faith” (“*pro deffensione fidei*”) against the blaspheming (“blasphemantes”) Muslims.⁹¹ Normally, however, the domestic affairs of the orders turned their immediate interests against their professed ideals of crusade and mission. The convent of the Order of Calatrava at Alcañiz, for example, was profoundly entangled with local Muslims, and very much in opposition to local Christians. The abduction and torture of a Christian traveler by this order and its Muslim accomplices in 1293 was only one of a series of incidents; the previous year the Commander, Alvarus Luppi, had refused to return to Petrus de Podio of Alcañiz his son Dominicus, whom the order was holding as a captive, insisting that

⁸⁹ For the “institutional” use of the Military Orders against Christian enemies, see A. J. Forey, “The Military Orders and Holy War Against Christians in the Thirteenth Century,” *The English Historical Review* 104 (1989): 1–24. The Orders, in particular the Temple, also became financial agents for the Western aristocracy, due to their ability to securely transfer funds over long distances.

⁹⁰ ACA, C., Alfons II, pergs., carp. 119, nos. 72–76 (14 May 1286).

⁹¹ ACA, C., reg. 324, f. 184r (23 April 1296).

the boy was a Muslim and a slave.⁹² Previously, in September 1291, the Commander had tried to repossess the goods of certain local woodsmen, alleging that they had damaged irrigation works. The woodcutters, for their part, claimed that the damage had resulted from a flash flood.⁹³ Whichever party was correct, the cross-accusations demonstrate the antipathy between the convent and the townsmen. The following month the Commander was reprimanded for aggrieving his own subjects of Molinos, apparently by contravening privileges which had been granted to them by the Master of the Order of Calatrava.⁹⁴ Actions such as these may explain the townsmen's earlier blockade of the order's castle, when they refused to let the Commander "and his retainers and his Muslims" ("et familiam suam ac Sarracenos eiusdem") stock it with arms and provisions, and they provide a context of tension and resentment which may explain the apparently arbitrary lynching of a Muslim of Alcañiz by townfolk in 1296.⁹⁵ The castle and town of Alcañiz had come under the control of the Order of Calatrava in 1179, when it was granted to them by Alfons I "for the defense and exaltation of Christendom and the oppression of the pagan lands and people" – a mission scarcely reflected by the convent's actual sectarian policies.⁹⁶

The general absence of a polemical impulse in contemporary Christian society is reflected in the relatively rare representations of Muslims in contemporary art. The frescoes of Jaume I's victorious campaigns against Islamic foes which were popular domestic decoration among the nobility, and the thirteenth-century miniatures of Alfonso "the Learned's" *Cántigas* or of the *Vidal mayor* portray Muslims in a rather matter-of-fact light.⁹⁷ Sometimes they appear bearded or wearing obviously "Eastern" costume, but they are generally not depicted as distinct of feature, grotesque or villainous. Polemical representations or caricatures

⁹² For the traveller, see p. 278. For the kidnapping, see ACA, C., reg. 87, f. 27v (8 January 1292), ed. and trans. Catlos, "Four Kidnappings in Thirteenth-Century Aragon," pp. 176 and 178, doc. 2.

⁹³ ACA, C., reg. 90, f. 27r (12 September 1291). ⁹⁴ ACA, C., reg. 90, f. 70r (9 October 1290).

⁹⁵ ACA, C., reg. 46, f. 111v (12 October 1283). For the lynching, ACA, C., reg. 104, f. 19r (21 April 1296).

⁹⁶ "ad defensionem et exaltacionem Christianitatis et opprimendam terram et gentem paganorum": ACA, C., reg. 287, f. 119r-v, cit.: A. Sinués Ruiz, and A. Ubieta Arteta, *El patrimonio real en Aragón durante la Edad Media* (Zaragoza: Anubar, 1986), p. 43, doc. 117.

⁹⁷ Frescoes of this type are displayed in the Museu d'Història de la Ciutat (Barcelona), the Museu Nacional d'Art de Catalunya and *in situ* in the castle (now the Parador Nacional) of Alcañiz. For the "Cántigas," see Guerrero, *Las cántigas*, plates 52, doc. 155, 92, doc. 80, 105, doc. 95, and 181, doc. 165. In the *Vidal* two illuminations depict Muslims; one, a slave being baptized, the other, the judgment of two fugitive slaves. In both cases the Muslims are depicted in darker pigment with tightly curled hair and beards. They are reproduced in monochrome in *Vidal*, II (see the illuminations for secs. VIII: 11 and 16, and in color in the facsimile edition: Canellas, *Vidal Mayor*, ff. 242v and 244r.

Muslims under Christian rule

of Muslims are exceptionally rare. A singular example can be found in a chamber of the Order of Calatrava's castle at Alcañiz, a room decorated with predominantly religious themes, where there is a cartoon of a Muslim, or perhaps more specifically a Maghribī, with a protruding tongue.⁹⁸ The painting is oriented so that this character is facing eastwards and, by apparent implication, sticking his tongue out in the direction of Mecca. Given the context and uniqueness of this work it cannot hardly be taken as evidence of a general "anti-Muslim" attitude, particularly when the cosy relations of that same house with its Muslim vassals are considered.

Ideology and policy

Throughout the period of Christian ascendancy, papal attitudes towards Crusade ideals were ambiguous, and the declared ambitions of kings in this respect were balanced by conciliatory practical policies. References to the greater goal of the "benefit [*bonum*] of Christianity and destruction of the Muslims" are offset by flattering references to Muslim allies as "very noble and honorable."⁹⁹ The interpretation of pontifical exhortations such as letters of encouragement from Clement IV (1265–1268) to Jaume I and the bishops of the Crown to destroy the "perfidious nation of the Muslims" ("Sarracenorum perfidam nacionem") of Granada must be considered in the light of actual papal policies, such as the intervention of Pope Alexander IV (1254–1261) in favor of Muslim Tunis against the crusading Bishop of Tarragona.¹⁰⁰ Nor do the leading reformers of the thirteenth-century Spanish Church seem to have been troubled by the fact that so many Muslims lived and worshiped within the Christian Crown. Jean d'Abbeville, papal legate to the peninsula in 1228–1229, was a strong advocate of Lateran IV (1214), but was most concerned with clerical abuses, and his disciple, Pere d'Albalat, Metropolitan of Tarragona (1238–1251), concentrated on stamping out Christian heresy in his archdiocese. Neither figure saw the Muslims and Jews of the realm as a primary threat to the integrity of the Spanish Church.¹⁰¹

⁹⁸ See cover illustration.

⁹⁹ The phrase "to the honor of God and for the good of Christianity and the destruction of Islam" occurs in a donation of the recently conquered castle of Alcalá, while the latter phrase appears in a letter to the "very noble and honorable 'lord' Mahomet Auabdelle Abennaçer" Muḥammad III (1302–1309), King of Granada ("ad honorem Dei et ad bonum Christianitatis et destructionem Saracenorum": ACA, C., Alfons I, pergs., carp. 45, no. 172 [1175]; "molt noble et honrado don Mahomet Auabdelle Abennaçer": ACA, C., reg. 55, f. 54r [3 November 1291].) The flattering sobriquet may indeed be formulaic or a diplomatic nicety, but it implies a formal, public recognition of the Muslim king as a legitimate sovereign.

¹⁰⁰ ACA, C., reg. 24, 100r (2 May 1268). For the papal–Muslim alliance, see Burns, "Christian-Muslim Confrontation," p. 82.

¹⁰¹ See P. Linehan, *The Spanish Church and the Papacy in the Thirteenth Century* (Cambridge University Press, 1971), pp. 20–34 and 54–82.

Muslims and Christian society

Context is obviously the key to interpreting the attitudes of Church and Crown towards the Muslim enemy. This is not to say that the rulers and organizations of the time were motivated only by expediency, or that they did not consider themselves genuinely pious, or as playing a role in a larger Christian mission, but the role of ideology in personal and corporate decision making is not straightforward. At times it is difficult to divine whether ideology, even if it is professed to be a cause of action, is not in fact a posterior rationalization undertaken for entirely different motives – perceived material advantage can exercise a strong influence on moral rationalization. Whatever influence ecumenical concerns may have exercised in the complex and turbulent currents of causation, it is difficult to construe ideology as the basis on which attitudes towards Muslims was founded in this era. An analogy may be drawn from modern global politics where “Western” powers frequently refer to countries whose policies coincide with their own as “democracies” and those whose do not as “communist” or “dictatorships.” Thus the Nixon regime of the United States could rationalize its cooperation in the overthrow of a popularly elected democratic government (such as that of Salvador Allende in Chile in 1973) and the substitution of a brutal dictatorship (in this case, of Agustín Pinochet). In another example, as the Russians ceased to be perceived as a threat to Western interests in Central Asia, the Afghani *mujāhidīn* were transformed in the language of policy-makers from (good) “freedom fighters” to (bad) “fundamentalist extremists,” even long before the brutal terrorist attacks of September 2001 with which they came to be associated.

A discussion of political ideology in the thirteenth-century Crown demands a reassessment of the place of the “frontier” – a term which has been widely adapted as a catchword to express the essence of medieval Iberian society – in Christian–Muslim relations in the Ebro.¹⁰² Bishko, for example, saw the frontier “in the authentic North American sense,” as the source of a “Luso-Hispanic” society built on the “necessities of warfare and colonization.”¹⁰³ Without a doubt the border between Christendom and the *dār al-Islām* constituted an area of political, cultural, and social differentiation, but its abruptness and exclusivity have been over-emphasized, and some historians have preferred to discern it only in the guise of a zone of military confrontation. Frontiers, of course, were also zones of commercial, technological, and social contact between

¹⁰² C. J. Bishko, *Studies in Medieval Spanish Frontier History* (London: Variorum, 1980), pp. i–ii. Burns, another historian influenced by the image of American continental expansion, has emphasized the “frontier” as the defining characteristic of the Kingdom of Valencia.

¹⁰³ Bishko dismisses this interpretation of the role “frontier” in “inter-ethnic ‘acculturation,’” as “so fashionable among anthropologically-minded students” (*ibid.*, p. ii).

Muslims under Christian rule

cultural groups – regions characterized by acculturation, rather than separation. In fact, the frontier with Islam was only one of the Crown's many overlapping *limites*, the character and permeability of which were heavily dependent on context and circumstance. For example, Arabic language and Islamic religion and culture straddled the political frontier of the Crown, but even the geographic limits of the Crown's Murcian and Mediterranean frontiers fluctuated in their durability and position. Further, internal boundaries frequently crossed the regnal frontiers of Christendom: nobles and religious houses often had lands in more than one kingdom and episcopal *termini* did not always coincide with secular frontiers. Calatayud and Villafeliche, for example, initially belonged to the Castilian diocese of Sigüenza, and Soria to the Aragonese diocese of Tarazona. Agreda, just inside Castilian territory, was under the influence of the Bishop of Tarazona until 1953, while the dioceses of Huesca (in Aragon) and Lleida (Catalonia) both had influence in the Segre valley.¹⁰⁴ Overlapping jurisdictions such as these helped to blur an already imprecise frontier.

In any event, the extent of medieval political boundaries was not determined effectively by fixed territorial limits, but by the area of influence of the prince.¹⁰⁵ Thus, given the rebellions of the nobility, the power of the Church, the *guerra Sarracenorum*, civil unrest in Aragon, armed uprisings, and endemic aristocratic violence, the political frontier of the Crown can hardly be represented as a line drawn along the Murcian border. On one hand, it came into being wherever royal authority was challenged or defied, and on the other it appeared in the pockets of territory detached from the mainland but under royal control, including territories in North Africa. Indeed, the Crown's African frontier embraced a substantial area, including the island of Jerba, as well as the trading-post-cum-embassies, the Christian *fanādiq/fondaci*, found in the major Islamic cities of the southern shore, and semi-dependent tributary states such as Hafsid Tunisia.

Mudéjar movement beyond the Ebro

The dynamism of *mudéjar* society in Aragon and Catalonia has been under-estimated by some historians, who have characterized it as isolated and remote, especially in contrast to the vibrant Islamic society of the

¹⁰⁴ Ubieta, *Historia de Aragón. Divisiones administrativas*, pp. 45–46.

¹⁰⁵ This fits, perhaps, a Heideggerian definition of a frontier as not the end limit of an entity but rather the area where a presence begins to make itself felt: see H. K. Bhabha, *The Location of Culture* (London: Routledge, 1994), p. 1.

Kingdom of Valencia, but the documents do not support this view.¹⁰⁶ In fact, Ebro Muslims, including wealthy *mudéjares* who undertook the *hājī* continued to communicate with the wider Islamic world.¹⁰⁷ Çayt filiu[s] Jahel Abenfadal of Alfàntega, who was illegally captured by pirates and held in Mallorca, may well have been returning from this pilgrimage, and later documents confirm that *mudéjares* continued to make the journey.¹⁰⁸ Domestic and overseas trade also kept *mudéjares* in touch with the outside world as did internal immigration, a movement which brought Muslims from different parts of the Catalano-Aragonese realms into commercial into commercial contact, and also provided a forum for cultural and social exchange. Foreign Muslim families also traveled in the Crown, further increasing the prospects of encounter and exchange with broad *mudéjar* elements. For example the *jenet* Abraham Abenhanena brought his wife and family (“uxor et familia sua”) with him during his term of service, as did Muse and Sayt, two other Muslim mercenaries, whose wives’ unpaid bills in Valencia were picked up by Jaume II.¹⁰⁹ In 1289 Alfons II ordered Ali Amari, a Muslim of Jaca, to sell a horse which the *jenet* Abdalla Alenaçça had left in the town. The sale price of fifty *duplae* was to be entrusted to Ali, who was to turn it over to Abdella’s wife, who was apparently still in Jaca.¹¹⁰ Many *guidatica* were granted to foreign Muslim traders to travel in the Crown, for example the license given to Aly Abençabu, Aly Atembli, and “other Muslims of Barbary” (“alios Sarracenos Barberie”) in 1290.¹¹¹ Contacts of this type were of course not limited to other Muslims, but also brought Christians from other parts of the Crown in contact with Ebro *mudéjares*. For example, when Mahomet Ademani of Huesca won the initial judgment in a business-related suit against a Valencian nobleman, the Christian’s appeal carried the case before the *alcaydus Sarracenorūm* of Daroca, who was instructed to judge it according to Muslim law (*açunam*).¹¹²

The movement and interaction of craftsmen can be traced through chancery records, showing how the practice of trade provided a nexus of communication. Work on royally sponsored building contracts brought

¹⁰⁶ Cf. Boswell’s beliefs regarding the survival of Arabic in Aragon, p. 239, n. 130, above.

¹⁰⁷ The *hājī* is the pilgrimage to the holy sites of Arabia which Muslims are enjoined to undertake at least once in their lifetime.

¹⁰⁸ ACA, C., reg. 106, f. 197v (16 January 1298). Çayt was captured during the month of *Rabī’ al-awāl*, the third month after the conclusion of the pilgrimage. In 1375 permission was given to the Abenferre family of Lleida to make the trip: M. T. Ferrer i Mallol, *Els sarraïns de la Corona Catalano-aragonesa en el segle XIV* (Barcelona: CSIC, 1985), pp. 319–320, doc. 104.

¹⁰⁹ ACA, C., reg. 66, f. 152v (3 August 1286); ACA, C., reg. 82, f. 69r (11 September 1290).

¹¹⁰ ACA, C., reg. 79, f. 79v (3 February 1289).

¹¹¹ ACA, C., reg. 80, f. 158r (30 December 1289).

¹¹² ACA, C., reg. 42, f. 236v (31 March 1280).

Muslims under Christian rule

artisans from around the Crown together and in contact with a broad range of fellow subjects. For example, the group of Muslim workers and silk experts from Valencia who were abducted in 1294 were on their way to Barcelona, where they would have settled into a social environment which included other Muslims, both foreigners and *mudéjares* and Christians.¹¹³ Tradesmen – literate and prosperous – would have been the people best prepared to receive the cultural influence of their “foreign” coreligionists and disseminate it within their own communities. Other documents hint at a wider “international” Muslim social network – of a type which would not normally be noted by the Christian bureaucracy. This can be discerned, for example, in the appointment of the foreigner Haomar filius Ali Jenet as *alcaydus* of the Muslims of Lleida and its hinterland or, possibly, in that of Mahumet “Marroquinus” as *alaminus* and notary.¹¹⁴ In 1274 Muçe filius de Maruham, a Muslim of Borja, was appointed for life as the *alfaquinus* of that town at the request, it is noted, of “Abucaquere alguazire Murcie,” and in 1300 a *nunci* of the King of Granada helped Mahomet de Concha obtain permission to sell some properties in Lleida to a Christian without having to pay the mandatory sales tax of one third.¹¹⁵ Two years later another Granadan envoy, “Bulhabbes” (or “Abolabç”), successfully petitioned Jaume II to pardon Haçan, the son of the Arabic *scriptor* of Teruel, and his in-law (“genero suo”), Hamet, who had been convicted of the murder of Abraham, the son of a local smith. As a result of this intervention, the two murderers were absolved of all criminal and civil liability and given safe conduct to move about and settle anywhere within the king’s realms.¹¹⁶

Muslim immigration and emigration

On a larger scale, Muslims remained mobile as a group. Free foreign Muslims continued to constitute a source of settlers for the Crown through the thirteenth century. As Burns notes, Muslim lands remained a preferred source of immigrants, even during the height of al-Azraq’s

¹¹³ See above, pp. 170 and 230.

¹¹⁴ ACA, C., reg. 21, f. 123v (21 April 1273), ed. Mutgé, *L’aljama sarraïna de Lleida*, pp. 198–199, doc. 7; ACA, C., reg. 15, f. 131v (3 February 1269). The location of Mahumet’s tenure is not noted.

¹¹⁵ ACA, C., reg. 19, f. 96v (3 February 1274); ACA, C., reg. 197, 141v (9 June 1300), ed. Mutgé, *L’aljama sarraïna de Lleida*, p. 214, doc. 29.

¹¹⁶ ACA, C., reg. 199, f. 84r (28 May 1302), cit. BMA, p. 262, doc. 715. Presumably, this was necessary because of the popular indignation or reprisals which an arbitrary reprieve might provoke. The *guidaticum* of the two murderers was accompanied by a separate letter addressed to the town’s *baiulus*, ordering him to release them from prison.

Muslims and Christian society

insurrection in Valencia.¹¹⁷ Thus, in 1277 Pere II promulgated the following decree to his officials:

We order you that if it happens that any Muslim refugees come to Our lands from other realms or territories, you will redeem them from anyone who may be detaining them, and safeguard, maintain, and defend them, with them rendering to Us the taxes and other obligations which the other Muslims of the Kingdom of Aragon are required to give us, and you will allow them to settle in *morerías*, safe and sound, just like the rest of Muslims.¹¹⁸

Muslim settlers, like their Christian counterparts, were given land to work on and accorded special privileges. For example, Mahomat Abenmahomat Abenzabit, who settled at Gelsa in 1270, was given generous grants of land as well as *franquitas*.¹¹⁹ The internal resettlement of the Crown's Muslim subjects can also be seen in charters, such as that granted to the monastery of Piedra in 1262 to construct dwellings for Christians and Muslims in several villages. In this case, also, the settlers were to be free from royal fiscal impositions. A similar license was granted to the Monastery of Veruela, outside Tarazona.¹²⁰ In the 1280s new settlements were set up for Muslim immigrants, as demonstrated by the provisions made in 1282 for the construction of an irrigation canal in Huesca which would facilitate the settlement of one hundred Christians and fifty Muslim households (*casatis*).¹²¹ Further, in 1300 seven Navarrese Muslims were given a royal *guidaticum* to enter and travel in the Crown, where they planned to settle. The king noted that they were coming into "[his] service" ("servitium nobis") – which is to say, as tax-paying *mudéjares*.¹²² In addition to foreigners, native Muslims also changed residence within the Crown in response to particular opportunities or offers on the part of landlords. For example, a tax-levy of 1276 reveals that Muslims of Huesca and Almonacid had moved to the *raval* of Valencia city.¹²³ When Abdella Albarezos and his brothers Alyaffer and Abraffi, along with two other Muslims, Alfatge and Salem, decided to move from Huesca to live in

¹¹⁷ R. I. Burns, "Immigrants to Islam: Crusaders' Use of Muslims as Settlers in Thirteenth-Century Spain," *American Historical Review* 80 (1975): 31. Burns reviews the insurrection in detail in Burns and Chevedden, *Negotiating Cultures*, pp. 6–11.

¹¹⁸ "Mandamus vobis si contingat aliquos sarracenos fugitivos venire ad loca nostra ab aliquas regnis seu partibus eosdem emparetis a quibuscumque teneantur, et eosdem salvetis, manuteneatis et deffendatis, ipsis dantibus nobis tributum et alia jura sicut alii sarraceni de Regno Aragonum nobis dare tenetur, et permitatis ipsos esse in morariis salve et secure, sicut alios sarracenos": Soldevila, *Pere el Gran*, II, pp. 82–83, doc. 51.

¹¹⁹ ACA, C., reg. 16, f. 208r (2 August 1270).

¹²⁰ ACA, C., reg. 12, f. 5r (29 December 1291); ACA, C., reg. 16, f. 228v (5 February 1271).

¹²¹ ACA, C., reg. 52, f. 1r (20 January 1282).

¹²² ACA, C., reg. 117, f. 342r[242r] (28 July 1300), cit. BMA, p. 217, doc. 584.

¹²³ ACA, C., reg. 22, f. 74r–v (28 July 1276).

Muslims under Christian rule

Barcelona in 1300, they were led to complain to the king after the *baiulus* tried to charge them the *mostalafia*, a tax normally paid by slaves.¹²⁴

In view of such movement, notices which crop up in the documentation of lands which had been abandoned by Muslims are not necessarily an indication that these same had emigrated out of the Crown, and the privileges which were extended in an effort to lure them back to their homes reinforce this. Such efforts were not always successful, as demonstrated by the departure from Aranda of a group of Muslims who “left to live in other lands” (“recesserunt causa habitandi in aliis locis”), despite an earlier royal order which had offered *franquitas* to *Sarraceni* returning to that town.¹²⁵ In principle, royal authorities were not overly concerned with the movement of Muslims, provided that they remained on royally administered lands, although thirteenth-century Aragonese law ordered the confiscation of the goods of Muslims who moved to lands which were “heredades del yfançon,” which is to say, belonged to the broad class of tax-exempt lower nobility.¹²⁶ Such lands were *francae*, and the settlement of royal Muslims on them would have therefore represented a loss of tax revenue to the king.

Mudéjar movement does not seem to have been an issue, however, until the beginning of the fourteenth century, when lords who stood to permanently lose a Muslim subject endeavored to prohibit a change of residence or extract some compensation in return. For example, in the late 1300s when Muslims of the vicinity of Tortosa tried to change residence, their lords sometimes endeavored to force them to pay special fees, or claimed the right to confiscate any property which the *mudéjares* had in their original place of residence.¹²⁷ But as early as 1301, the Abbot of Piedra complained to Jaume II that the Muslims of Terrer, who had been under his seigniory, had placed themselves under the protection of local nobles and *milites* and denied any relationship with the monastery. The king responded by ordering all the Muslims of the town to dissolve any such ties within the month, and threatened complicit nobles with exile in the face of non-compliance.¹²⁸ The Muslims in Terrer had been put under the jurisdiction of Piedra by Jaume I in 1269, since which time the monastery had registered a litany of complaints regarding their refusal to pay tithes and their attempts to undermine its authority by intriguing

¹²⁴ ACA, C., reg. 114, f. 138v (25 December 1299).

¹²⁵ ACA, C., reg. 13, f. 250v (28 August 1265); ACA, C., reg. 10, f. 143v (18 December 1259).

¹²⁶ Vidal, II, p. 477, sec. VIII: 19, cf. Lacruz, “Dos textos interesantes,” 537, doc. 12; Molho, *El fuero de Jaca*, p. 103, doc. A: 169; *Fueros*, pp. 164–165, sec. 277; *Fori*, p. 94.

¹²⁷ See Ferrer, “The Muslim *Aljama* of Tortosa in the Late Middle Ages,” 161–164.

¹²⁸ ACA, C., reg. 121, f. 78r (14 July 1301), ACA, C., reg. 121, f. 150v (5 July 1301); cit. BMA, pp. 238, doc. 646 and 238–239, doc. 647.

Muslims and Christian society

with Christian nobles.¹²⁹ Seigniorial efforts to inhibit Muslim emigration rarely come to light in the documents of the thirteenth century, and the chancery records record very few cases of this type of interference. Generally, the movement of Muslims to and within the Crown can be interpreted as evidence of a broad satisfaction among *mudéjares* with living conditions under Christian rule. Dissatisfaction would undoubtedly have led to emigration, little evidence of which appears in the chancery records.¹³⁰

The contact which resulted from immigration and travel would have had a leveling effect on *mudéjar* society, acting as a counter-current to particularism. Thanks to their exposure to and interchanges with foreign coreligionists, local Muslims would have felt in touch with their fellows in the Crown and beyond. They would not have considered themselves the last inhabitants of some lost outpost of Islam, but rather participants in Islamic society on a number of levels: local, regional, "national," and "international." This would have been an important factor in keeping their language and culture vigorous. At the same time, the maintenance of extended social networks would have contributed to the stability of *mudéjar* society within the Crown. Confidently moving around the Crown, Muslims could respond to economic opportunities, an ability which contributed to their greater prosperity as a community. On the other hand, economic ties with Christian and Jewish fellow subjects would have encouraged the development of "localist" sentiments which tempered *mudéjares'* Islam-based identity. The interplay of these two foci of self-identification can be observed across the Muslim world, where individual identity is expressed in terms of both *milla* (community) and *waṭan* (homeland).¹³¹

The economic frontier

The confrontational aspect of the Islamic-Christian frontier is expressed in contemporary references to the larger politico-cultural contest which present the two cultural-social systems as rivals. Officially the papacy actively supported a general trade blockade, and Gregory IX (1227-1241) decreed excommunication for merchants breaking the

¹²⁹ See p. 116. Recall also the case of the Muslims of Escatrón (p. 222).

¹³⁰ See p. 238, n. 128, for an example. In a parallel situation, the Christian lords of twelfth-century Nablus found that when they were abusive or over-demanding, their Muslim subjects would not hesitate to abscond to Damascus: see E. Sivan, "Réfugiés syro-palestiniens au temps des croisades," *Revue des Etudes Islamiques* 35 (1967): 135-147.

¹³¹ See S. D. Goitein, *A Mediterranean Society. The Jewish Communities of the Arab World as Portrayed in the Documents of the Cairo Geniza*, 4 vols. (Berkeley: University of California Press, 1983), II, p. 274.

wartime embargo placed on the *dār al-Islām*.¹³² Commonly restricted goods were those related to military industries, but other commodities, including agricultural products, iron, wood, cloth, and lead were also frequently prohibited from export. For example, in 1274 Jaume I reiterated a papal decree forbidding export of these items, as well as arms, rope, bread, and all foodstuffs to any “Muslim lands” (“*loca Sarracenorum*”). Wheat, barley, sorghum, beans, chickpeas, and flour of any type were specifically banned.¹³³ But conflicts of interest were bound to arise out of practical considerations. For instance, the pope’s order was, in fact, intended as a trade embargo on the “Sultan of Alexandria.” But whereas Egypt was the principal military objective of the French-dominated Crusader forces and their papal supporters, for the Crown the Ayyubid Sultanate represented a major trading partner, at which it had maintained a consulate since 1264.

In any case such prohibitions were applied against Christian enemies as well, as in 1287, when the Muslims of Alfamen were warned “under penalty of person and goods” (“*sub poena corporum et bonorum*”) not to trade with Zaragoza.¹³⁴ At that time the city was the epicenter of the revolt of the *Uniones*, which had the support even of the bishop. Two years later, Alfons II had it publicly proclaimed in his realms that trading horses, arms, foodstuffs, and “all other commodities or merchandise” (“*aliquas alias res uel merces*”) with any of his enemies was prohibited, and forbade travel to their lands.¹³⁵ At the time the king’s enemies included France, Mallorca, Navarre, and Castile, and he was allied with the Muslim powers of Granada and North Africa. The ban on trade to Islamic lands was taken up again by Jaume II, after he had concluded a truce with Castile and as part of the preparations for a joint campaign against the Muslim territories to the south. In anticipation of this he imposed a ban on trading foodstuffs and “all other prohibited goods” (“*aliqua alia prohibita*”) with the lands of his and Castilian king’s Muslim enemies, but not to the Islamic world in general.¹³⁶ In this document and in a simultaneous order sent to the carpenters and caulkers of Tortosa to proceed to Valencia to help construct a fleet, Jaume refers to his enemies as the “perfidious Muslims” (“*perfidēs Sarracenos*”) and the “enemies of the orthodox faith” (“*inimicos fidei orthodoxe*”); yet only three years earlier, in happier

¹³² *Decretales*, pp. 1662–1663, doc. 12: “Excommunicati sunt qui cum sarracenis tempore guerraē aliquod habent commercium, vel eis praestant subsidium.”; see also Constable, *Trade and Traders in Muslim Spain*, pp. 256–257.

¹³³ ACA, C., CRD, Jaume I, Extra Series, ca.1, no. 24r–v (11 August 1274).

¹³⁴ ACA, C., reg. 70, f. 177r (2 September 1287).

¹³⁵ ACA, C., reg. 80, 123r (11 December 1289). ¹³⁶ ACA, C., reg. 99, f. 1r (27 February 1294).

circumstances, he had affectionately addressed their king as “very noble and honored.”¹³⁷

In any event, embargoes were maintained only with difficulty and a certain half-heartedness. If the prohibitions reduced trade, prices and the potential for profit would have risen commensurately, tempting merchants to break the law and deal with the enemy.¹³⁸ Thus, in early 1277 two separate parties, one of four Muslims and another of two Christian traders, were detained in the Kingdom of Valencia accused of trafficking prohibited goods to enemy lands. The first group was captured near Morella (just inside Valencia, near the Aragonese border), under suspicion of carrying “forbidden foodstuffs to forbidden territories” (“uictualia proibita [sic] ad loca proibita [sic]”).¹³⁹ The second was arrested in Valencia city, allegedly preparing to ship wood and weapons to Granada and the Maghrib “and other lands of enemy Muslims” (“et alias terras Sarracenorum de guerra”).¹⁴⁰ But while the lure of profit tempted Christian merchants to smuggle forbidden goods, political expediency often led to the kings to grant moratoria on the embargoes. For example, Jaume II’s treaty with Muḥammad II of Granada, signed in 1296 and meant to last through the lives of both rulers, provided for the free movement of traders of both realms. Jaume II’s initial proposal for the treaty, composed when he was under military pressure, included a clause by which the Naṣrid ruler would also be required to send 500 *jeneti* to aid against the Crown’s Christian enemies.¹⁴¹ In sum, the consistency of the ecumenical barrier between Christendom and Islam varied considerably, and frequent truces between the Crown and Muslim sovereigns meant that it often faded or lost all substance.

On the other hand, the *guerra Sarracenorum* of 1276–1277 exposed the tenuous nature of royal control over the Kingdom of Valencia and brought the Christian–Islamic “frontier” to the interior of the Crown, through the obligations of the Christian and Muslim inhabitants of Aragon and Catalonia to contribute monies, supplies, and arms. While Ebro *mudéjares* may have resented being made to contribute to a war against their coreligionists, such sentiments would have depended on the extent to which they perceived of their own goals as coinciding with those of the Muslims

¹³⁷ ACA, C., reg. 81, f. 243r (21 January 1291); ACA, C., reg. 99, f. 1r (27 February 1294).

¹³⁸ Greif compares medieval Muslim and Christian embargo enforcement in A. Greif, “Contract Enforceability and Economic Institutions in Early Trade: The Maghribi Traders’ Coalition,” *The American Economic Review* 83 (1993): 925ff.

¹³⁹ ACA, C., reg. 39, f. 161r (14 February 1277).

¹⁴⁰ ACA, C., reg. 39, f. 182r (14 April 1277).

¹⁴¹ See Ferrer, *La frontera amb l’Islam en el segle XIV*, p. 74. The Arabic text is published and translated in Alarcón and García, *Los documentos árabes diplomáticos del Archivo de la Corona de Aragón*, pp. 1–3, doc. 1 (15 May 1296).

Muslims under Christian rule

of Valencia – a matter which is by no means clear. Conversely, Christians inconvenienced by military levies may have been tempted to vent their irritation on local *mudéjares*, but the fact that no *aljamas* complained of violence motivated by such sentiments suggests that they was not common. Nevertheless, Pere II did send out a general order reminding royal officials that Muslims who were not at war with the Crown were not to be harmed, and, in fact, specifically cited the Muslims of Almonacid de la Cuba for the effort they had contributed to the repair of their town's castle.¹⁴² Compared to the experiences of suspect “minorities” in North America during the Second World War, those of the Aragonese and Catalan *mudéjares* were mild. While they may have become objects of suspicion or popular resentment, there was no systematic or officially sanctioned policy of marginalization and little popular violence aimed at them. Indeed, any tendency for Christians of the interior to consider their Muslim neighbors to be enemies would have been mitigated by the fact that they normally campaigned together as comrades while fulfilling their obligations of *exercitus* for the king.

Muslim mercenaries in the Ebro

The tendency to automatically perceive of all Muslims as military enemies would have been further weakened by the presence in the Crown of companies of soldiers from the Islamic lands.¹⁴³ These *jeneti* were levied principally from Granada and the Maghrib, and represent a continuation of the long-established Iberian tradition of utilising mercenaries from across the confessional divide.¹⁴⁴ Just as Jaume I and Pere II had made use of Muslim crossbowmen, Alfons II depended on *jeneti* in his campaigns against France and Castile. Through the last decades of the thirteenth century these privateers operated across the territories of the Crown, achieving a remarkable degree of economic and social integration.¹⁴⁵ Some mercenaries came to settle in the lands of the Crown as more or less permanent exiles, while others straddled the frontier, remaining subjects of both their home kingdom and their Christian host.¹⁴⁶ Mahomat Abenadalill, active in the Crown on the Castilian and Navarrese frontiers through 1290 and 1291, provides an excellent example. During his stay

¹⁴² ACA, C., reg. 39, f. 151r (27 January 1277), ed. Burns, “The *Guidaticum* Safe-Conduct in Medieval Aragon-Catalonia,” p. 108, doc. 51.

¹⁴³ A document of 1318 referring to Ali “alcayduy geneti Tutele” suggests that *mudéjares* may have also made up companies of *jeneti*. On the other hand, the citation may refer to a company of *jeneti* stationed at Tudela: Basáñez, *La aljama sarracena de Huesca en el siglo XIV*, p. 144, doc. 14.

¹⁴⁴ See Barton, “Traitors of Faith?,” pp. 23–45.

¹⁴⁵ See Gazulla, “Las compañías de zenetes en el Reino de Aragón,” pp. 174–176 and *passim*.

¹⁴⁶ See p. 75.

in Christian territory, Abenadalill was based primarily in Calatayud, from where he launched raids on Castilian Soria, commanding companies of Christian and Muslim (and, apparently, Jewish) troops, and taking captives and booty. Local Christians acted as his middlemen, enabling him and his “family” to negotiate with their victims for the ransom of captives and the sale of their booty. In addition, he received a cash stipend from the king, which the town of Calatayud was ordered to pay, and other documents suggest that he may have also engaged in wider business pursuits, including lending. No sense of scandal or sectarian shame prevented Alfons II from receiving Mahomet, his son, and their “company” formally in lifelong vassalage (“en vassayl”), and the Granadan seems to have spent a period of some months attending the king’s court in Barcelona. Royal favors granted to Mahomet included marriage arrangements which were made for one of his subordinates who had been smitten by a *mudéjar* woman in Zaragoza, and the energetic enforcement of Mahomet’s right to collect his ransoms and debts. Even after he received permission to return home, Abenadalill continued to serve the Crown, traveling back and forth to Granada, sometimes in the company of Abraham Abenamies.¹⁴⁷

The documents which refer to the interaction between these Muslim adventurers and the local population demonstrate that they were able to do business relatively unhindered by sectarian prejudices. When such dealings provoked typical complications relating to repayment, the king stepped in to set things right. For example, when three *jeneti*, Mahomat Abulhaye, Mançor Abennudaffer, and Abraham Abehalmema, left Petrus Bertrani of Valencia holding a loan of 630 *solidi*, the king covered the Christian’s loss, and when Conradus Lactreer cheated Abduhet the *jenet* out of 200 *solidi*, Muça de Portella was ordered by Alfons II to recover the sum.¹⁴⁸ Acts of violence between *jeneti* and local Christians and Muslims seldom appear in the records. In a rare case, members of the “familia” of Abenadalill were attacked by inhabitants of the region of Calatayud in 1290, but this assault was probably inspired as much by the possibility of booty as by sectarian motives. As it turned out, Alfons II ordered the guilty parties to restore goods which had been taken from the *jeneti*

¹⁴⁷ For an analysis of Mahomet Abenadalill’s career see B. A. Catlos, “Muhammad Abenadalill: A Muslim Knight in the Service of the Kings of Aragon (1290–1291),” in *In and Around the Medieval Crown of Aragon: Studies in Honour of Prof. Elena Lourie*, ed. H. Hames (Leiden: Brill, 2003): 257–302, and Gazulla, “Las compañías de zenetes en el Reino de Aragón,” pp. 188–193. For Abraham Abenamies, see D. Romano Ventura, “Judíos escribanos y turjamanes de árabe en la Corona de Aragón (reinados de Jaime I a Jaime II),” *Sefarad* 38 (1978): 90–92 and 93–95. Also worth noting is Abraham, a contemporary Jewish mercenary: see Lourie, “A Jewish Mercenary in the Service of the King of Aragon.”

¹⁴⁸ ACA, C., reg. 52, f. 68v (11 November 1282); ACA, C., reg. 65, f. 125r (5 April 1286).

Muslims under Christian rule

in the course of the skirmish.¹⁴⁹ On the other hand, violence between *mudéjares* and *jeneti* was not unheard of, as Çehit the *jenet's* absolution for the wounding of the Muslim *alaminus* of Valencia and his son in 1286 shows.¹⁵⁰

For the Muslim and Christian folk of the Ebro region, the frontiers which held the most meaning were local ones. These boundaries related to the raiding between rival towns, the attacks of renegade nobles and the limits of most social and economic networks. For them the Castilian and Navarrese borders constituted much more of a threat than that of distant Granada. In 1290 Garcessus de Morea, *miles*, was ordered to attend to the *almogàvers* who were wreaking havoc around Daroca and Calatayud “on the frontier” (“in frontera”) with Castile at Montreal.¹⁵¹ Four years later a royal truce with Castile did not prevent the councils of Calatayud, Daroca, and Teruel and their dependent villages from mounting raids against towns across that frontier.¹⁵² Hence, in 1304, in a peace which had been concluded with Castile, Jaume II ordered local authorities in Añón and Torrellas to return lands belonging, respectively, to a Christian couple and a Muslim of Agreda (Castile) – properties which had been confiscated at the outbreak of hostilities.¹⁵³ The conditions of life on local frontiers as often as not acted to drive Muslims and Christians together, whether in collaboration on raids or legal pursuits against rival towns, as victims of the policies of Christian administrations, or in reaction to the violence of the Christian aristocracy. For the townsmen of the frontier the condition of their harvest was as much a preoccupation as the struggle against Islam; hence, for 1227–1228 the chronicle of Teruel matter-of-factly notes, “In this year, lord Gil Garçez took Betxi, which belonged to the Muslims, and many locusts came.”¹⁵⁴

As had been the case in the era preceding the Christian conquest, ecclesiastical and royal policies frequently ran counter to those authorities' own espoused ideals regarding Muslims. If a Crusade ideology had emerged in the previous two centuries, in the late thirteenth century it had yet to determine Christian relations in respect to Muslims either abroad or at home. Thus, in this period the existence of the ecumenical frontier exerted no greater influence on the process of *mudéjar* integration than did the other “internal” frontiers which periodically coalesced and dissolved in the Ebro region. The language of charters, like Jaume

¹⁴⁹ ACA, C., reg. 81, f. 234r [new number] (20 December 1290).

¹⁵⁰ ACA, C., reg. 70, f. 31r (25 December 1286). ¹⁵¹ ACA, C., reg. 85, f. 185r (28 June 1290).

¹⁵² ACA, C., reg. 99, f. 213r (24 May 1294).

¹⁵³ ACA, C., reg. 133, f. 67v (30 August 1304), cit. BMA, p. 324, doc. 898.

¹⁵⁴ “En esti año priso don Gil Garçez a Bexis qui era de moros et vino mucha langosta . . .”: López, *Crónicas de los jueces de Teruel*, p. 88 (AHT).

Muslims and Christian society

II's call to arms of 1296 "in order to resist the enemies of the Christian faith and their forces" contrasts with the tone of Alfons II's letters to the "the noble sir Mahomet Abnadalil and his companions," neatly illustrating the ambiguity of the royal position.¹⁵⁵ The Church's dogmatic hostility to the Muslim world was counter-balanced by the prevalence of non-confrontational policies, rooted in the economic opportunities which peaceful interaction with the Islamic world provided for the corporations of the Church and the individuals who directed them. Any perception on the part of the kings of Muslims as enemies was offset by their interest in *mudéjares* as valued subjects and foreign Muslims as potential allies. However much Muslims may have been casually marginalized as a result of the interplay of contemporary concepts of culture and law, there is no evidence that actively discriminatory or vindictive policies were aimed against them at this time.

SEX, VIOLENCE, AND DISCRIMINATION: MUSLIMS AND CHRISTIANS IN DAILY LIFE

The extent to which Christians and Muslims were encouraged towards conflict or cooperation would have depended very much on the type of social contact which they normally enjoyed, and the demographically integrated physical environment in which Muslims and Christians of the Ebro lived was an important factor in determining the nature of such interaction. This is often referred to as *convivencia*, a word which has been embraced and dismissed with more passion than any other historiographic term coined in reference to medieval Iberia. Ever since Américo Castro used it to refer to Christian-Muslim-Jewish coexistence in Iberia, it has been the subject of polemic – a debate discredited in one extreme by romantic notions of pre-modern innocence, and in the other by a vision of religio-cultural identity as the primary matrix of human relations.¹⁵⁶ It is now established that Muslims and Christians were frequently drawn together in economic and administrative spheres, and given the lack of rigid barriers (such as language or appearance) between *mudéjares* and Christians, and the propensity of people to cooperate when it is in their perceived interests, a high degree of social interaction between members of these two groups is likely. In fact, the rules which were implemented in order to visibly distinguish members of different faiths,

¹⁵⁵ "ad resistendam . . . inimicis Christiane fidei et eorum uires": ACA, C., reg. 324, f. 184r (23 April 1296); "noble en Mahomet Abnadalil et abses compaynes": ACA, C., reg. 83, ff. 70v–71r (25 September 1290).

¹⁵⁶ See B. A. Catlos, "Cristians, musulmans i jueus a la Corona d'Aragó medieval: un cas de «convivència»," *L'Avenç* 263 (November 2001): 8–16.

Muslims under Christian rule

and the restrictions on social interaction which were instituted by civil and ecclesiastical lawmakers, are evidence of a high incidence of social interaction on a daily basis. On the other hand, episodes of “popular violence” involving members of different faiths, such as they are found to occur, should be examined to determine whether they are indicative of an atmosphere of popular sectarian antipathy or reflect a society in which violence was merely a normal mode of discourse.

Day-to-day contact

The extent of such social interaction would have been particularly broad in day-to-day contexts, where Muslims and Christians carried out many of the same activities in essentially the same manner and in the same general physical spaces of town and country. Neighboring shops and homes were frequently owned by members of different faiths, and rural holdings were thoroughly integrated among Muslims and Christians. A typical situation comes to light in a grant by the Temple of 1291, in which Stephanus de Berruz was given a property near Ascó which had formerly belonged to the *alaminus* and which bordered on lands of three other Muslims, and two houses, one formerly belonging to a Christian, the other to a Muslim, and both of which fronted onto Christian and Muslim (and possibly Jewish) properties.¹⁵⁷ In towns such as Pina, mixed landholdings ensured a high degree of social contact between Christians and Muslims, which is reflected in the mixed witness lists attached to documents from the town, and acted as a catalyst for the cross-confessional solidarity which inspired the members of the two faiths to resist outside Jewish creditors.¹⁵⁸ Nor were townscapes segregated. For example, a document of 1200 refers to a Christian-owned property (“solario”) located within the Jewish market of Huesca, and bordering on (“affrontant”) the mosque (*mezquita Sarracenorum*), while in 1252 Bernardus Andree and his wife Branada are recorded as selling to the Temple the rents on some shops (“tendas”) located in the extra-mural neighborhood of Alquiblam, next to (“affrontant”) an “alfondecas” and the shop of Abraym Alcalahom.¹⁵⁹

Public utilities, including mills, ovens, and *alfondici*, were all venues for interaction. Members of both faiths, for example, used the same oven in Navarrés (Valencia); the Christian population of Zaragoza purchased

¹⁵⁷ AHN, OM, pergs., carp. 636, no. 2 (16 May 1291).

¹⁵⁸ AHN, Cod. 649b, nos. 452, 454–459, 480–481 (April 1187, May 1234, October 1165, May 1235, February 1235, December 1236, September 1238, 28 March 1316, November 1222); for debt resistance, see p. 205.

¹⁵⁹ AHN, Cod. 663b, pp. 42–43, no. 101 (11 April 1252); ACB, CR, no. 5–3 (14 June 1200), cit. Oliveras, *Cartes reales*, p. 25, doc. 13; AHN, Cod. 663b, pp. 42–43, no. 101 (11 April 1252).

Muslims and Christian society

groceries and other goods from Muslim merchants; and Petrus Ferrari's *funduq* in Barcelona was open to all travelers, even in time of war.¹⁶⁰ Marketplaces would perhaps have been the main zone of interaction, and their heterogeneous character is reflected in licenses and privileges, which frequently included a clause confirming trading rights to merchants of all faiths. By the same token, shops (even butcher shops, which for Muslims and Jews did have a ritual aspect) must have been patronized with little or no regard to religious identity. Even baths, which were normally segregated by gender and confession on a day-to-day basis, represent at the very least a popular institution common to members of all three religions, whose rights of access were enshrined in law.¹⁶¹ Thus, in 1280 the Temple Master of Tortosa was reprimanded by Pere II for occupying the town's extra-mural baths, and was ordered to return them to public use for Jews, Muslims, and anyone else who customarily enjoyed access.¹⁶² Ten years later Galatanus de Tarba, the *merinus* of Zaragoza, was instructed not to interfere with Jews' right to bathe in whatever establishment they wanted if that had been the custom up to then.¹⁶³ Finally in 1301, following a complaint by the Bishop of Huesca, Jaume II overturned the order given by Eneggus Luppi de Jassa, the *merinus*, which had forbidden Jews and Muslims from using baths belonging to the Church. The bishop's broadmindedness, it should be noted, was prompted by concern for lost revenue rather than the cleanliness of the infidels, who had been forced by the ruling to use the royal baths only. It so happens that Eneggus had a financial interest in the royal baths.¹⁶⁴

Mundane interaction did not pose a problem to members of either faith, and would not have provoked social posturings based on religious identity, because the ethnic and ritual content of these activities would have been negligible. For a Christian to buy a loaf of bread from a Muslim or vice versa did not require any social or religious compromise; it is an activity which does not elicit any statement of domination or submission, and therefore could be carried out with mutual ease by individuals without regard to ethnic identity. Similarly, a Christian could buy meat from an Islamic butcher, because neither party would have recognized ritual content in the transaction and therefore it would not entail a compromise of identity. Not so, however, for the observant Muslim, for whom a purchase from a Christian butcher would indeed provoke a confrontation

¹⁶⁰ For Navarrés, see ACA, C., reg. 9, f. 58r (6 August 1258), ed. Burns, *Foundations of Crusader Valencia*, pp. 217–218, doc. 194; for Ferrari's "fondaco," see above, p. 200.

¹⁶¹ See J. F. Powers, "Frontier Municipal Baths and Social Interaction in Thirteenth Century Spain," *American Historical Review* 84 (1979): 649–667.

¹⁶² ACA, C., reg. 48, f. 190r (7 September 1280). ¹⁶³ ACA, C., reg. 81, f. 9r (3 January 1290).

¹⁶⁴ ACA, C., reg. 119, f. 51v (19 September 1301), cit. BMA, p. 241, doc. 654.

with his own sense of identity as a Muslim, precisely because for him there would have been a significant religious dimension to that particular transaction (the requirement to eat only *ḥalāl* meat). The occasional promulgation of apparently discriminatory laws relating to low-end economic transactions, like that of Pere II which required Muslims and Jews to buy sheep only from him, was not an anti-Jewish or anti-Muslim law *per se*, but a directive aimed at individuals who were the king's direct feudal subjects. The price of sheep was regulated, and the law therefore did not force the minorities to pay higher prices, but rather served to guarantee a market for the king's livestock.¹⁶⁵ The kings enjoyed similar, relatively harmless seigniorial rights in other locals, as at Tortosa, where the Muslims were obliged to purchase cabbages and other produce from the king and queen's gardens at a fair price ("just preu").¹⁶⁶

As activities and roles ascended the scale of sophistication, however, interaction would have been increasingly difficult – the more a formal a situation, the more it would have been choreographed by ritual inevitably loaded with religious content, and which would have therefore demanded that the issues of confessional or ethnic domination and submission be addressed. This accounts, in part, for the problems sometimes encountered by Muslim members of religiously oriented trade guilds or confraternities. There may have been little to distinguish how, for example, Muslim and Christian artisans practiced their craft, but participating in a guild would have drawn *mudéjares* into secondary activities (religious processions, Church-organised charitable works, hierarchical ritual) which were loaded with Christian symbolic content. This would have provoked discomfort for Muslims and Christian alike, and thus a kind of choreography developed whereby, for instance, Muslims sat at the feet of the Christians at council meetings in Tortosa. Such measures would have been intended and understood as a ritualized expression of the distinctness and the hierarchy of the communities rather than an expression of social alienation or sectarian contempt (although in times of social or economic tension this shift could easily have been made).

As it was, ritual did not necessarily preclude the participation of "outsiders" in religiously expressed rites, since many festivals and events (popular holidays, weddings, and the like) also have a strong social content which would have appealed to members of all faiths. Hence the Church's issuing of prohibitions against Christian participation in Muslim and Jewish celebrations – proscriptions which had their counterpart in the contemporary Muslim world. Although, unlike Islamic rulers, Christian sovereigns did not encourage or sponsor religious festivals of minority

¹⁶⁵ Assis, *Jewish Economy*, pp. 32–33.

¹⁶⁶ AHN, Cod. 598b, p. 60–2(no. 37) (January 1183).

groups, they were not above acts of largesse which showed sensitivity to the customs of their non-Christian subjects. In 1210, for example, Pere I made the gesture of freeing the *mudéjares* of Aragon from the tax on their customary sacrifice of goats for the 'Īd al-Aḏḥā, which he referred to as "Pascha vestra qui vocatur Adayes".¹⁶⁷

Officially, the Church did what it could to prevent social contact between Christians and Muslims or Jews, given that even innocuous social interaction was seen as a possible source of religious contamination, of heterodoxy. Thus, local councils and synods forbade Christians to live as domestics in Jewish and Muslim homes. Both the synod of Jaca (1208) and the synod of Huesca (1243) enjoined that Christians should not live as servants of Muslims because the latter "deny the sacraments . . . to the Christians who live with them."¹⁶⁸ Similar rulings were repeated across the peninsula, but may have reflected judicial principle as much as social reality, given that the prohibition had been included in the Third Lateran Council (1180) and can be traced back to Gregory VII (1073–1085).¹⁶⁹ Pere d'Albalat's ruling at the Council of Tarragona (1247) that Christian women should not share living quarters with Jews, or nurse their children, springs out of the same concern, and also probably did not reflect actual practice.¹⁷⁰ On rare occasions, Church concerns influenced local lawmakers to discourage interconfessional contact. For example, an ordinance of Huesca forbade Christians to buy meat from Muslim and Jewish butchers or buy wine from Jews. The by-law, purportedly motivated out of concern that Christians who bought wine from Jews would sit down to eat and drink with them "in disrespect of the Christian faith" ("en menosprecio de la fe christiana"), probably appealed to the municipal authorities because it offered economic protection of their own wine merchants as a consequence.¹⁷¹ Correspondingly, in Muslim lands with minority populations 'ulamā' were equally preoccupied with the dangers of socializing among members of the various faiths; numerous *fatāwā'* forbade Muslims from exchanging Christmas or Passover gifts with

¹⁶⁷ Canellas, *Colección diplomática del concejo de Zaragoza*, 1, 132, doc. 41.

¹⁶⁸ "se niegan los sacramentos, menos la penitencia, a los cristianos que habiten con ellos": D. J. Buesa Conde, "Los sínodos de Huesca-Jaca en el siglo XIII," *Aragón en la Edad Media* 2 (1979): 84.

¹⁶⁹ Cap. xxiv, ed. Fernández, *Estado social y político de los mudéjares de Castilla*, p. 306, doc. 10; H. Gilles, "Législation et doctrine canoniques sur les Sarrasins," in *Cahiers de Fanjeux. Islam et chrétiens du Midi (XII–XIV s.)*, ed. E. Privat (Toulouse: Centre d'Etudes Historiques de Fanjeux, 1983), p. 195.

¹⁷⁰ Pons, "Constitutions conciliaires Tarraconensi," 94, sec. VIII under the rubric, "Quod christiane non habitent cum iudeis nec eorum filios nutriant."

¹⁷¹ C. Laliena Corbera, *Documentos municipales de Huesca: 1100–1350* (Huesca: Ayuntamiento, 1988), III, p. 111, doc. 73.

Muslims under Christian rule

dhimmiyyūn.¹⁷² Such proscriptions have little to do with the character of either Christian or Muslim culture and more to do with the reactionary fear of rival groups which may arise as a result of a strong sense of group identity, or in response to a perceived threat of competition on the part of a rule-making clique within the dominant group.¹⁷³

Institutionalised discrimination

Sumptuary or vestimentary laws for minorities – rules governing the types of clothes which they were obliged or forbidden to wear – were a common feature of the Mediterranean world and had long been traditional (although far from universally applied) in Islamic lands. For its part, European society had a tradition of class-oriented dress codes which can be traced back to ancient Rome's reservation of purple-colored garb for members of the Imperial family. Such laws functioned throughout the Middle Ages to distinguish the nobility from commoners, and different grades of status within the nobility. Analogous rules directed at religious minorities acquired the force of canon law with Lateran IV's provision obliging Muslims and Jews to wear distinctive garments, a requirement instituted by the curia on the rationale that it would avoid confusion, and prevent the accidental sexual commingling of Christians, Muslims and Jews. The imposition was justified, according to the council, by Mosaic law.¹⁷⁴

As regards Muslims in the lands of the Crown, however, this rule does not seem to have been brought into practice with any degree of uniformity in the thirteenth century. Archbishop Sparago of Tarragona (1215–1233), for example, ignored all of the orders of the Fourth Lateran Council, the injunctions of which were not applied with any effect until the arrival of the legate Jean d'Abbeville in 1228.¹⁷⁵ When they did confront issues of dress or social interaction the religious authorities

¹⁷² See Lagardère, *Histoire et société en Occident musulman au moyen âge*, pp. 66, doc. 1: 257, and 482, doc. VIII: 83.

¹⁷³ For chauvinism as a by-product of group solidarity see, for instance, S. Freud, *Civilization and Its Discontents* (London: Hogarth Press, 1957), Chap. 5, pp. 79–93. An example of the influence of “special interest groups” in fomenting discriminatory policy can be found in medieval Egypt. Despite Quranic prohibitions Copts dominated the Islamic administration through the late thirteenth century. At this point circumstances led local Muslims to take an interest in administrative careers. Thus they began to pressure for the observance of the religious proscriptions on Christian participation in the administration and undertook a broad polemical campaign aimed at discrediting the Copts as a group: see B. A. Catlos, “To Catch a Spy: The Case of Zayn al-Din and Ibn Dūkan,” *Medieval Encounters* 2 (1996): 99–114.

¹⁷⁴ García, *Constitutiones concilii quarti lateranensis*, Vaticana, 1981), pp. 107, sec. 68; confirmed by Gregory IX in *Decretales D. Gregorii Papae IX*, pp. 1665–1666, sec. 15.

¹⁷⁵ Bisson, *The Medieval Crown of Aragon*, p. 73.

of the Crown seemed much more concerned with Jews than Muslims. For example, when the Council of Lleida (1229) confirmed the decrees of Lateran IV, Muslims were not referred to, and the matter was addressed under the rubric “How Jews ought to be discerned from Christians by a visible sign.”¹⁷⁶ The earliest such promulgation concerning Muslim dress appeared in Jaume I’s policy statement on *convivencia* which was first promulgated in 1242, and which included the obligation that “Jews and Muslims distinguish themselves from Christians by their dress,” a provision which seems only to have been intended for men, in order to avoid miscegenation.¹⁷⁷ The clause, however, did not appear in any of the many subsequent ratifications of the law; it would not have been practical to implement and may have thus been dropped. Vestimentary ordinances appear again in the 1270s in the *Costums* of Tortosa, and in 1293 in an order by Jaume II to the *baiulus* of Lleida dictating a special hairstyle for Muslims. This measure, like the earlier papal ordinances, was rationalized on the basis that being able to clearly distinguish Muslims from Christians “might serve to avoid excesses and shameless conduct” – again an allusion to the danger of sexual contact between minority men and Christian women.¹⁷⁸

But there are no records of violations of such laws in the thirteenth century, indicating that if they stood, they were probably not being enforced with rigor. In fact, it was not until the 1380s that *mudéjares* (in Tortosa) began to complain about the enforcement of them, although a blanket statute had been passed at the *corts* of Lleida in 1301 requiring *mudéjares* to observe these laws.¹⁷⁹ Muslims living on the frontier, however, had been exempted by virtue of the war with Castile, and it was not until 1306 that all *mudéjares* of the realm were ordered to abide by this requirement or suffer the same fate as non-compliant Catalan Muslims (“qui sint in Cathalonie”): a five-*solidi* fine or ten lashes.¹⁸⁰ It is worth observing that dress distinctions are used not only by majority groups to visually marginalize minority groups, but often by minority groups themselves, in order to sponsor greater cohesion.¹⁸¹ The ambiguous nature of

¹⁷⁶ “Cum iudei signo notabili a christianis discerni debeant . . .”: Pons, “Constitutions conciliars Tarraconensi,” pp. 83–84 (Lérida, 1229), sec. xv.

¹⁷⁷ Canellas, *Colección diplomática del concejo de Zaragoza*, 1, pp. 168–169, doc. 42.

¹⁷⁸ “ut enormia et inhonesta valeant evitari . . .” For Tortosa see Ferrer, *Els sarraïns de la Corona Catalano-aragonesa en el segle XIV*, pp. 41–42, and for Lleida, *ibid.*, p. 213, doc. 1.

¹⁷⁹ Ferrer, “The Muslim *Aljama* of Tortosa in the Late Middle Ages,” p. 160.

¹⁸⁰ ACA, C., reg. 138, 243r (8 June 1306), *cit.* BMA, p. 368, doc. 1026; *Cortes de los antiguos reinos de Aragón y de Valencia y principado de Cataluña*, 1.1, p. 190, sec. XII: “De capillis sarracenorum”.

¹⁸¹ Most recently, in May 2001, the Taliban regime of Afghanistan ordered members of their territory’s very small Hindu minority to wear a yellow belt as a sign of difference. The measure was rationalized as a means of protecting the group, so that the regime’s morality police would

Muslims under Christian rule

such boundary-markers can be seen in contemporary Egypt, where the medieval Coptic *zunnār* (a type of belt or girdle) was traditionally worn by indigenous Christians, who also developed the custom (still current) of tattooing a cross on the wrist.¹⁸²

Ghettoization works in an analogous manner. It is often imposed as a means of isolating a minority, but not infrequently minority ethnic groups themselves congregate in order to preserve community identity and orthodoxy, or to protect themselves from possible violence.¹⁸³ Hence, in 1275 the Muslims of Teruel requested permission to concentrate their households by founding a new residential space, and an obliging Jaume I granted the *aljama* permission to construct a *morería* along the inside of the northern wall of Teruel. In addition to the right to build houses, the Muslims who settled here were endowed with a surprisingly far-reaching judicial autonomy, particularly as regarded Christians and Jews of Teruel and their slaves. The same day as the permission was granted, in a separate letter the king approved the sale for 300 *solidi* of certain houses, formerly belonging to “M.” Lopez, to Abraham, the *scriptor*, and Ali de Castellnou (revealed in another document to be the *alaminus*).¹⁸⁴ In view of Abraham and Ali’s purchase, the jurisdictional provisions which they had secured would not only have made the neighborhood more desirable for Muslims, but would have driven up the value of the property which the two officials had bought. But the municipal government must have resented the loss of jurisdiction (and revenue) which this entailed and, thus, five years later local *mudéjares* complained to the royal court that the town council was interfering with their efforts to establish the new neighborhood.¹⁸⁵ Finally, after seven more years of litigation, Alfons II upheld the jurisdictional autonomy of the suburb and, referring to the charter of Jaume I, ordered Johannes Dominici de Santa Maria, the *alcaydus* of the *morería*, to annul a civil suit launched by a Christian party (“the heirs of master Dominic Ladron”) against certain Muslims of the suburb, Mahomet and his sisters, Axux and Mariote.¹⁸⁶

not mistake them for Muslims. The Sikhs of the territory, who are distinguished by their own traditional dress, were not required to wear any additional sign of differentiation (*El País*, 24 May 2001, “Internacional,” p. 7).

¹⁸² Under the idiosyncratic Fātimid caliph al-Ḥākim (996–1021) the *zunnār* was made obligatory and crucifix tattoos were banned (and ordered to be effaced): Sāwīrūs ibn al-Mukaffā’, *History of the Patriarchs of the Egyptian Church*, 2 vols., ed. A. S. Atiya (Cairo: Institut Français d’Archéologie Orientale, 1959), II.2, p. 188 (Ar. p. 12).

¹⁸³ See Sjöberg’s reflections in G. Sjöberg, *The Preindustrial City* (Glencoe, IL: The Free Press, 1960), pp. 100–104.

¹⁸⁴ ACA, C., reg. 20, f. 248v (11 May 1275). For Ali’s official position, see p. 163, n. 160.

¹⁸⁵ ACA, C., reg. 42, f. 241r (6 April 1280).

¹⁸⁶ “heredes magistris Dominici Ladron”: ACA, C., reg. 70, f. 134v (17 June 1287).

Muslims and Christian society

In general, however, neither forced nor voluntary domestic segregation of Muslims seems to have been prevalent in the thirteenth-century Ebro region. Although *moreñas* did exist as distinctly Muslim neighborhoods, it does not appear that they were exclusive by definition or that Muslims were necessarily restricted to living within them. For example, in 1254 the Hospital gave Sancio Guallard and his daughters, Maria and Sancia, some houses in Belchite which had formerly belonged to (“que fuerunt de”) “Don Esperando,” and which were bounded by the houses of Iuçaf de Lалуazir, Ayça de Lalguaizir, and Abraym Altulo.¹⁸⁷ In fact, Christians could frequently be found living in Muslim neighborhoods. In the twelfth century this does not seem to have been an issue for royal authorities, but by the end of the thirteenth the attitude may have been changing, as evidenced by an order of Jaume II in 1296 to halt the construction of Christian houses in the *moreña* of Zaragoza.¹⁸⁸ This policy may have resulted from a desire to maintain the *moreña* as a clearly defined royal taxbase rather than to encourage social segregation – the same rationale which prohibited minority subjects from selling property to Christians (and in particular tax-exempt individuals and organizations) without special dispensation.

It was in the early fourteenth century that the residential segregation of Muslims began to be institutionalized as policy. Thus, a letter of Jaume II dated 1306 ordered the *mudéjares* of Burbáguena to leave their present houses, which were located among the Christians’ homes, and construct a separate *moreña*:

We understand that the Muslims who live in the locale of Burbáguena, a hamlet of Daroca, do not have a *moreña*, but rather they live among the Christians of that locale and they have their houses scattered about the said place. Whereby, We command and order that you go personally to the said locale of Burbáguena and assign just as you see fit, along with the inhabitants of the said place, the said Muslims some part of that place which will suffice to them to have as a *moreña* that they may inhabit and wherein they may construct their homes segregated from the houses of the Christians and not in any other part.¹⁸⁹

¹⁸⁷ AHN, Cod. 664b, p. 11, no. 13 (22 May 1254). For examples of Christians living in Muslim neighborhoods in the twelfth century, see AHN, Cod. 650b, no. 428 (November 1181) and Lacarra, *Documentos para el estudio de la reconquista y repoblación del valle del Ebro*, II, pp. 68–69, doc. 391 (1158).

¹⁸⁸ ACA, C., reg. 104, f. 6r (3 April 1296).

¹⁸⁹ “Intelliximus quod illi Sarraceni qui habitant in loco de Burbaguena, aldea Daroce, non habent morariam per se, immo, inter Christianos ipsius loci habitant et suas tenent mansiones in diversis partibus dicti loci. Quare uobis dicimus et mandamus quatenus ad dictum locum de Burbagania personaliter accedatis et prout uobis uisum fuerit una cum hominibus dicti loci assignetis dictis Sarracenis aliquod parte ipsius loci que possit eis sufficere quam habitant pro moraria et in ubi [sic] et non in alia parte Christianorum domibus segregata suas faciant mansiones”: ACA, C., reg. 138, f. 148r (16 April 1306), cit. BMA, p. 364, doc. 1014.

A subsequent letter ordered the *baiulus generalis* of Aragon, who had been entrusted with the affair, to sell the houses which the Muslims were forced to leave in order to compensate them – small comfort, indeed.¹⁹⁰ The tone of this earlier charter is curious, in that the king seems to express surprise at what was undoubtedly an unexceptional (and lawful) situation at that time. A follow-up letter sent some sixteen months later reveals, however, that the initiative at Burbáguena had been sponsored by a certain royal counselor (“*dilectu[s] consiliariu[s] nostru[s]*”), Dominicus Garçie de Chauri, who was also the sacristan of the Cathedral of Tarazona.¹⁹¹ It so happened that the Muslim community of Burbáguena, which was apparently not large or important enough to merit its own *alcaydu*,¹⁹² had had a history of trouble with the Church. In 1297 the *aljama* had complained about the way which the tithes which it was contributing were being spent, and in the following year it complained that the local council was attempting to assess tithes on property which was exempt.¹⁹³ A year after that, the *aljama* was received under the special protection of Jaume II (“*sub nostra proteccione comanda et guidatico speciali*”); would-be interlopers were warned that any attempt to molest the town’s Muslims or their property would provoke the king’s “*ire and indignation*” (“*ira[m] et indignacio[nis] nostra[m]*”) not to mention a fine of 500 gold coins.¹⁹⁴ In this context, the intervention of Dominicus Garçie does not appear to have been by chance. Given that the community fell under the diocese of Daroca, and the diocese of the sacristan had no authority there, Dominicus may well have been asked to intervene on behalf of the local church because of the particular influence which he enjoyed at the royal court. The episode, therefore, should be interpreted in light of the history of tension between the Church and this small Muslim community regarding its members’ alleged attempts to evade paying tithes, and taking into account any a version this particular cleric may have had for Muslims as a result of his calling.

In any event, neither the development of *morerías*, nor legislation aimed at distinguishing minorities, would have acted as a check to social interaction between Christians and Muslims. Documents of the fourteenth century show that members of both faiths worked, drank, gambled, and went to brothels together, to the frequent alarm of civil and religious

¹⁹⁰ ACA, C., reg. 138, f. 171r (21 April 1306), cit. BMA, pp. 365–366, doc. 1018.

¹⁹¹ ACA, C., reg. 138, f. 148r (9 August 1307), cit. *ibid.*, p. 390, doc. 1087.

¹⁹² If it did have one, this official would have been a subordinate of the Muslim *alfaqimus* of Calatayud: see ACA, C., reg. 75, f. 14r (14 June 1287).

¹⁹³ For the tithe contribution see p. 89; for the assessment, see ACA, C., reg. 110, f. 133v (6 May 1298).

¹⁹⁴ ACA, C., reg. 196, ff. 200v–201r (30 December 1298).

Muslims and Christian society

authorities.¹⁹⁵ The royal authorities exhibited little concern for such behavior, other than when the rights of *mudéjares* to drink in taverns were impinged on by officials, or when the king's own rights to limit Muslim patronage to royal taverns was disputed.¹⁹⁶ Occasional references to the use of cognomens by ordinary Muslims further supports the view that they were accustomed to move in Christian society, although it is difficult to gauge the currency of Romance and Latin aliases. Apparent surnames, such as “Ballestarius” or “Tintor,” may be nothing more than adjectives inserted by notaries, and may not have been used by the individuals in question; others such as “Ferrando” or “de Ferrando” may have reflected geographic or enfeiteutic associations.¹⁹⁷ On some occasions Muslims used names which were indistinguishable from those used by Christians; if the notaries had not pointed out that Lope de Pollella and Lope de Ferrando were *Sarraceni*, one would not assume them to be.¹⁹⁸ Many *mudéjares* would have dressed and spoken like Christian subjects, and some went by names which were also unrecognizable as Muslim; these factors, combined with the ethnically mixed milieu of the villages and towns, would only have encouraged scenarios which corresponded to the fears of miscegenation-obsessed clerics.

Sexual relations between Muslims and Christians

From the religious authorities' perspective, social interaction with minority groups was viewed as a danger, a stepping stone to sexual intercourse, the ultimate danger to orthodoxy and a violation of the divinely ordained order.¹⁹⁹ Thus, prohibitions of miscegenation were fairly universal; both Judaic and Islamic tradition and law discouraged or limited sexual relations, particularly child-bearing, among members of different faiths. In Islam the legal ban on cross-religious sexual relations applied only to women, whereas Muslim men could lawfully take Christian or Jewish brides. Wives were permitted to maintain their faith after marriage, but the children of such unions were considered Muslim. Jewish authorities were less easy about sexual relations outside of the faith. Sexual

¹⁹⁵ See Niernberg, *Communities of Violence*, pp. 158–159.

¹⁹⁶ Burns, *Medieval Colonialism*, pp. 41–43; also, ACA, C., CRD, Jaime II, ca. 142, no. 608r–v (no date), and ACA, C., reg. 47, f. 53v (1283).

¹⁹⁷ Mahomad Ferrando appears in a land grant by the monastery of Rueda, while the Muslim “de Ferrando” family were vassals of the Hospitallers of Zaragoza: AHN, Cod. 54b, pp. 271–272 (27 April 1247); AHN, Cod. 651b, no. 234 (1312). Cf. Boswell, *The Royal Treasure*, p. 381.

¹⁹⁸ Lope de Pollella was from Ricla and Lope de Ferrando from Villa de María (near Cadrete): see ACA, C., reg. 134, f. 203v (26 January 1305), cit. BMA, p. 331, doc. 915, and Chapter Three, n. 69, respectively.

¹⁹⁹ Vincent Ferrer (d. 1419), one of the most vocal polemicists of the late fourteenth century, was particularly concerned about the threat of miscegenation: Ramos, *El cautiverio*, p. 137.

relations between Jewish women and out-group men were considered outrageous, all the more so because Jewish identity is imparted matrilineally; but Spanish Rabbis also took the position that relations by Jewish men with non-Jewish women were to be avoided.²⁰⁰

The authorities of the Crown also took a strong view of the matter, and completely prohibited minority men from having sex with Christian women. Surprisingly, the Christian establishment was also concerned with relations between Christian men and free Muslim women, except for prostitutes who were probably not considered a threat because of the coldly professional nature of their relationships. The statutes are silent on the matter, but the records show that Muslim women were detained on such allegations. For example, in 1304 the *justicia* of Ricla was ordered to detain a woman on these charges, and a month later the *domina* of Vierlas appealed for the release of her *Sarracena* vassal who had been accused of the same crime.²⁰¹ Coming to her defense, the Christian noblewoman claimed that the woman was innocent; she had evidently been raped (along with two other women), but her father had not reported the crime out of fear.²⁰² Muslim women found guilty of miscegenation were enslaved, a punishment which undoubtedly met with the approval of their own communities' moral authorities.²⁰³ And though reports of such incidents are rare, the colonial dynamic must have made Muslim women particularly vulnerable to sexual abuse, given that they could be coerced into silence by the legal and social consequences of such relations, even if they were non-consensual. Surprisingly, even the male parties in these dangerous liaisons could be prosecuted, or so it can be deduced from a note sent in 1295 to the *justicia* of Murviedro (in Valencia), which mentioned that a certain Petrus Penyal had established his innocence of charges that he "had known carnally a certain Muslim woman" ("cognoverit carnaliter quendam Sarracenam").²⁰⁴

Slave women, of course, were considered a case apart, and concubinage by men of the dominant religion with the women they owned was tolerated by all three religions. Indeed, the *Costums* of Tortosa devote several sections to the status and rights of concubines and their offspring,

²⁰⁰ See Moses Maimonides, *The Code of Maimonides*, trans. L. I. Rabinowitz and P. Grossman (New Haven: Yale University Press, 1965), v, pp. 80–81, secs. 12.1–12.4. A *responsum* by Rabbi Asher b. Yahiel in 1320 recommended cutting the nose off any Jewish woman who had sexual relations with a Christian: Y. Baer, *A History of the Jews in Christian Spain*, 2 vols. (Philadelphia: Jewish Publication Society of America, 1961), 1, pp. 322–323. Thanks to Elena Lourie for her advice in this matter.

²⁰¹ ACA, C., reg. 235, f. 110r–v (19 July 1304), cit. BMA, p. 320, doc. 887.

²⁰² ACA, C., CRD, Jaime II, ca.16, no. 2131 (20 August 1304), cit. *ibid.*, p. 322, doc. 894.

²⁰³ See ACA, C., reg. 134, f. 206r (26 January 1305), cit. *ibid.*, p. 332, doc. 916.

²⁰⁴ ACA, C., reg. 101, f. 221r (15 July 1295).

indicating that the issue arose with some frequency. In principle, such children were to be raised as free Christians, although it seems their slave status was not necessarily affected.²⁰⁵ Hence in 1280 Garçia Luppi de Roda was put on notice that he would have to return his slave, Xemixe, and the son which she had borne to him as if the king should so require.²⁰⁶ Although in some cases bonds of emotional affection might develop between masters and female slaves who were sexual partners, the one-sided and essentially coercive nature of the relationship would have meant that the majority of cases were at bottom straightforward sexual abuse with no sentimental aspect. The situation of bonded Muslim women had a tragic quality that was much more profound than that of their male counterparts, who would not have been vulnerable to legally sanctioned violations of their physical intimacy.

Through most of the thirteenth century strict penalties were laid down for those who dared transgress sexual bounds in the Crown of Aragon, although Jaume I's minority-relations charter of 1242 hints that the attitude of the secular authorities had been rather lax up to that point. A clause appended to this promulgation, which prohibited Christian women from living with Jews and Muslims, specified that once a two-month grace period from the date of the decree had passed, any women who continued living with Jews or Muslims would be denied a Church burial unless they received special dispensation from their Archbishop.²⁰⁷ Within a generation, however, the legal situation had been revised: both minority men who had such relations and the Christian women tempted into illicit relations with them were subject to capital punishment. In Teruel both parties to interfaith adultery were to be burnt to death, while the *Costums* of Tortosa ordained that Jews and Muslims who had sex with Christian women were to be dragged to death ("tireçats e rocegats"), whereas the women were to be burnt.²⁰⁸ The latter, however, were to be excused if the woman "had been forced, or the [Muslim] had been dressed like a Christian, or she had been fooled, in which case she should not be punished."²⁰⁹ The point of such ordinances was not specifically to prevent miscegenation but to preserve the divinely ordained moral order. Thus, run-of-the-mill Christian adulterers did not fare much better: in Tortosa they were to be hanged.²¹⁰ Nor were the

²⁰⁵ See Massip, *Costums de Tortosa*, p. 301 (6.1.12–19); above, p. 255.

²⁰⁶ ACA, C., reg. 48, f. 31r (3 June 1280).

²⁰⁷ Cited above, p. 301, n. 180 and n. 177.

²⁰⁸ J. Caruana Gómez de Barreda, *El fuero latino de Teruel* (Teruel: Instituto de Estudios Turolenses, 1974), p. 325, doc. 385; cf. Gorosch, *El fuero de Teruel*, p. 301, sec. 497.

²⁰⁹ "Exceptat si la fembra era forçada, o él anava vestit axí com a xrestia o ela fos enganada, que ladoncs ela no deu sofrir pena . . .": Massip, *Costums de Tortosa*, p. 415, sec. 9.2.7.

²¹⁰ *Ibid.*, 414–419, sec. 9.2.

laws of the Crown particularly harsh in this respect; by way of comparison, al-Kayrawanī's tenth-century Mālikī legal manual prescribes the death penalty for Christians who had sex with Muslim women, while a tenth-century Cordovan *fatwā* prescribes severe corporal punishment and lifelong imprisonment for a Christian who was accused of the same crime.²¹¹

But passion, whether of the momentary or eternal variety, can easily blind people to consequences, and thus reports of illegal sexual activity occasionally did come to the attention of royal justice. Although the sample of sexual morality crimes which appear in the chancery records of the thirteenth century is too small to draw general conclusions from, the frequency of absolution in these cases is striking (see Table 2). As was so typical in other judicial matters, payment of a fine to the king was normally sufficient to ensure absolution, and in practice, carnal relations between members of the different faiths does not seem to have been treated more harshly than other infractions. The fact that a significant number of those accused of these crimes were either *aljama* officials or associated with officials may indicate that it was these individuals who felt confident enough in their ability to escape conviction to take the risks inherent in embarking on interfaith sexual adventures. Their proximity, yet exclusion, from the Christian elite may have even added a certain subversive delight to such dalliances.²¹² On the other hand, the limited records may reflect the fact that this was the group whose members could most easily bring cases to the royal court when accused. A rare exception to the trend of acquittal in such cases can be seen in 1304, when a certain Jucef of Burbáguena had the misfortune to be burnt at the stake for having sex with a Christian woman, but this seems to have been a case of assault – he is said to have had an “affair with a Christian woman *violently*” – rather than consensual sex.²¹³ Burbáguena, it is worth noting, was a town which seems to have had a reactionary culture – a sort of “Old South” mentality vis-à-vis minority–majority relations – and was probably not the best place for a Muslim find himself accused of disporting themselves with Christian women.²¹⁴ As it happens, the infrequency of such cases during the late thirteenth century is surprising, given the broad social

²¹¹ al-Kayrawanī, *Risala ou traité abrégé de droit malekite et morale musulmane*, trans. E. Fagnan (Paris: Paul Geunther, 1914), p. 193, sec. 191; Lagardère, *Histoire et société en Occident musulman au moyen âge*, p. 72, doc. II: 291.

²¹² Nirenberg speculates on a possible sectarian dimension to relations between Christian men and Muslim women: *Communities of Violence*, p. 141.

²¹³ “quare cum quadam Christiana rem habuit violenter . . .”: ACA, C., reg. 294, f. 176v (29 February 1304), cit. BMA, p. 298, doc. 819.

²¹⁴ See the discussions regarding ghettoization, above, p. 251.

Table 2 Sex offenses by minority men and resolutions in the Ebro valley (thirteenth century)

Date	Accused	Offense	Resolution	Document
10/1271	unnamed <i>Sarracenus</i> of Tarazona	sodomy	was condemned and burned	ACA, C., reg. 16, f. 238v
08/1274	Vives, Jewish <i>batulus</i> of Alfanteça	<i>uita[um] sodomitic[um]</i> (among other offenses)	absolved for lack of evidence	ACA, C., reg. 19, f. 136v
11/1275	Davidus filius Çaleme Auençadach	had intercourse with a Christian woman	absolute discharge	ACA, C., reg. 20, f. 302r
08/1279	Oçen, <i>alaminus</i> , Çalema de Gordales, Jucef Duuechar	had had an "affair" (<i>rem</i>) with two women (presumably Christians)	300 <i>sol.</i> fine ordered refunded	ACA, C., reg. 42, f. 126r
01/1280; 03/1280	unnamed <i>Sarraceni</i> of Pina (probably Oçen <i>et. al.</i>)	found guilty of carnal relations with a Christian woman	600 <i>sol.</i> fine ordered refunded	ACA, C., reg. 42, f. 209r ACA, C., reg. 42, f. 228r
03/1283	Abraham de Tumi, <i>Judeus</i> of Figueres	publicly kept a <i>mudèjar</i> woman in his house as a concubine (among other offenses)	inquisition launched (results unknown)	ACA, C., reg. 62, f. 136v-137r
06/1283	Jucef Abenataleb (<i>Judeus</i>)	had an affair or lay with ("habuit rem seu concubuit") a Christian woman	inquisition launched (results unknown)	Canellas, <i>Colección</i> , II: 207-208
12/1284	Mahomet, <i>alfaqimus</i> of Borja	was discovered with a Christian woman	bail ordered to be posted	ACA, C., reg. 43, f. 90r
03/1285	Mahomet, <i>alfaqimus</i> of Borja	as previous	person and goods absolved from capture	ACA, C., reg. 56, f. 27r

(cont.)

Table 2 (cont.)

Date	Accused	Offense	Resolution	Document
03/1285	Mahomet, <i>alfaqihinus</i> of Borja	as previous	500 <i>sol.</i> fine paid	ACA, C., reg. 58, f. 88v
02/1290	Abraham Abiafio, Jew	guilty of having an affair ("habuit rem") with a Christian woman	official to proceed according to law (i.e. execution)	ACA, C., reg. 81, f. 39v
09/1291	Juçeþh filiu[s] Ahiço de Conxellos (Tarazona) ¹	guilty of cohabiting with a Christian woman	inquiry launched (results unknown)	ACA, C., reg. 87, f. 1v
07/1295	Petrus Penyal	knew carnally a Christian woman	pardoned by queen, ordered to be released	ACA, C., reg. 101, f. 221r
08/1295	Juceþh filius Lupi el Cantarero	"had" ("habuit") a Christian woman	unknown	ACA, C., reg. 89, f. 121r
06/1297	unnamed <i>Sarracenus</i> of the Hospital	had had an affair with a Christian woman	bond of 300 <i>sol.</i> posted by the order	ACA, C., reg. 108, f. 103v

¹ Juçeþh was the son of Ahiça ("Issa") Conxellos, who was *alqiazir* of the Muslims of Tarazona from at least September 1293, and grandson of Mahomet Canchiellos, who seems to have occupied the post previously. The family kept a shop in the town's "Placa Carnicerie." See ACA, C., reg. 96, f. 22v (15 September); ACA, C., reg. 33, ff. 100r-101v (15 June 1276); ACA, C., reg. 98, f. 279r (2 September 1293). In 1292, the original inquisition against Juçeþh was thrown out because the authorities had relied on Christian and Jewish testimony, whereas the *summa* of the Crown required that Muslim witnesses equal in number to Christian ones should be called. A retrial in accordance with "for[um] et çunna eorum" was ordered: ACA, C., reg. 92, f. 151v (4 July 1292).

contact between Christians, Muslims, and Jews, and the declared rigor of the law in this regard.²¹⁵

Legal unions between members of different faiths were absolutely forbidden by the Church and were not permissible without the conversion of one party to Christianity. But one wonders whether discreet relationships, such as the equally illicit custom of *barraganía* which the Christian clergy in Iberia practiced widely at this time, may have been manageable between members of different religions, even after Jaume I's prohibition of 1242.²¹⁶ Such relationships may have been the cause of personal tragedies, "star cross'd" affairs emerging out of the daily contact of the market or the square. The "abduction" of a Christian girl, Ona, daughter of Lopeç Dorias, by certain Muslims of Calatorao in 1282, and her subsequent conversion to Islam and marriage to a Muslim, may have been one such case. Bartholomeus Thomasi, *merinus* of Zaragoza, was ordered to investigate the affair, but the outcome of the inquest is unknown.²¹⁷

Such exceptional situations aside, prostitution was undoubtedly the primary nexus of cross-faith carnal relations. Although Muslim prostitutes did not by any means exercise a monopoly on the sex industry, they may have been more common than Christian ones.²¹⁸ Indeed, several documents relate to the taxes which the *Sarracenaë meretrices* of Tortosa owed to the Templars. In 1261, for example, the *baiulus* of the lord of Fraga recognized that the Temple was due 300 *solidi* and two and a half *denarii* from the taxes paid by Muslim prostitutes.²¹⁹ Another receipt, of 1287, acknowledges the royal *baiulus*' receipt of three *solidi* and three *denarii* from the income of Muslim "singing girls" ("de Sarracenus cantatricibus").²²⁰ Finally, a letter of 1292 notes the Temple's receipt of twenty-two *solidi*, representing the sum due from the prostitutes for the year before.²²¹ That an ecclesiastical corporation, a Crusade institution, should have a direct economic interest in Muslim prostitution (and their concomitant patronage by the local faithful) comprises yet another of the apparent ironies of the Church's posture vis-à-vis *mudéjares* in the thirteenth-century Ebro.

²¹⁵ For miscegenation in the fourteenth century, see Nirenberg, *Communities of Violence*, Chap. 5, pp. 127–165.

²¹⁶ Burns reviews the Iberian custom of *barraganía* and the efforts of Church reformers to combat clerical concubinage in the second half of the thirteenth century in *The Crusader Kingdom of Valencia*, I, pp. 112–114.

²¹⁷ ACA, C., reg. 46, f. 75v (12 April 1282).

²¹⁸ See Nirenberg, *Communities of Violence*, p. 146, for the complaints generated among Muslims by the presence of Christian prostitutes in the *moreña* of Valencia.

²¹⁹ ACA, OM, GP, pergs., arm. 4, carp. 22, no. 52 (28 April 1261).

²²⁰ ACA, OM, GP, pergs., arm. 4, carp. 21, no. 17 (20 August 1287).

²²¹ ACA, OM, GP, pergs., arm. 4, carp. 21, no. 39 (12 May 1292).

Muslims under Christian rule

But the Crown itself was even more implicated in minority prostitution than the Military Orders. Muslim prostitutes were institutionalized to the extent that they were required to pay for licenses, reflected in a tax levy of 1276 which includes “the money . . . received from the Muslim women of the *raval* of Valencia . . . and the money . . . from the Muslim women of Benizaro . . .”²²² In Valencia prostitutes paid the same rate of poll-tax (twenty *solidi*) as employed *Sarraceni*.²²³ Jewish sex workers also apparently enjoyed a brisk trade, at least in Zaragoza, where Muça de Portella complained to the *infant* Alfons in 1283 that Jewish prostitutes were loitering (“morantur et transeantur”) around his home in the *judería*. The *adelantati* of the Jewish *aljama* were quickly ordered to expel them, but no there is no indication that the influential Jewish courtier was concerned about the rehabilitation of his female coreligionists.²²⁴

Naturally, given the prohibitions, Christian men had the choice of patronizing women of whatever faith, whereas Jewish and Muslim men were bound either to restrain themselves in this regard or exercise a great deal of discretion. As a result, Christian patronage of Muslim prostitutes is more visible. If there were, as has been suggested, certain esoteric or symbolic motives which encouraged a predilection on the part of Christian men for Muslim women, it cannot be construed from the documentation; the convergence of market forces with the forces of nature was sufficient cause for such patronage. And although sex can be used as a practical and symbolic weapon of domination (of the type which allegedly took place during the insurrection by the ethnic Serbs of Kosovo-Herzegovina in the late 1990s), there is no direct evidence to suggest that this was the case in the thirteenth-century Ebro. In Spain today, for example, central African, South American, and eastern European prostitutes dominate the sex market for the simple reason that many of these women have few opportunities for legitimate employment.

Noble and popular violence

While the polyethnic character of the Crown of Aragon was undoubtedly a factor in the occurrence of thirteenth-century “social violence,” the role of Christians and Muslims as perpetrators and victims of violence must be appraised within the context of the general social atmosphere of the Crown. Such a discussion should carefully distinguish between violence

²²² “denariis quas habuistis de Sarracenus raualli Valentiae . . . et de denarios quos habuistis de Sarracenus de Benizaro . . .”: ACA, C., reg. 22, f. 74r-v (28 July 1276).

²²³ ACA, C., reg. 50, f. 231r (24 January 1282).

²²⁴ Canellas, *Colección diplomática del concejo de Zaragoza*, II, p. 201, doc. 288.

perpetrated against Muslims on the basis of their religious identity and violence motivated by other factors. On one hand, the vulnerability of certain Muslims does not necessarily correspond to “*mudéjar* vulnerability,” and on the other, it should be admitted that violence could act also as a conduit for cooperation among members of different faiths. On the individual level this can be seen in cases where Muslims and Christians collaborated in violent crimes, many records of which can be found in the chancery records. In 1292, for example, a gang of Christians burst into the jail of Tarragona to spring three of their Muslim confederates, and after a few “home invasions” went on the lam. Jaume II ordered the Archbishop to investigate.²²⁵ In another case, Abraym del Alamit, a Muslim of Daroca, was killed in 1298 at the hands of a group of Christians and Muslims (“*aliqui tam Christiani cum Sarraceni*”).²²⁶ In a very dramatic case, the Cistercian abbot of Font Clara at Albalate complained in 1297 that a Christian, aided by two Muslims of his household, had made a habit of attacking the abbey’s members and subjects in the town:

certain inhabitants of the said locale of Albalate, namely Balech d’en Ninot and two sons of Abrafim, a Muslim of en Ninot, impelled by foolhardiness, recently struck [and] cruelly wounded a certain monk of the said monastery named Johannes Tholosanus, and many other injuries, acts and violence, damage, and harm are unwarrantedly and unjustly inflicted daily on the abbot, monks, and properties of the said monastery by inhabitants of the locale of Albalate . . .²²⁷

In this case, the alleged violence may not have been a random criminal act; it was probably related to efforts by the town’s Christians and Muslims to evade ecclesiastical taxes (*primicias*) which were due to the monastery.²²⁸ Finally, in 1301 Jaume II ordered Ennegus Luppi de Jassa, *baiulus* of Huesca and Barbastro, to release three *habitantes* of Naval, Dominicus de Regio, Abraham de Burro, and Jucef del Alamin, on bail (pending the posting of bond) for the murder of an unnamed *Sarracenus* of their town. The fact that Ennegus had earlier refused to release them from custody shows that Christian royal officials were anything but indifferent to the fate of

²²⁵ The designation of the perpetrators as “certain men” (“*homines quidam*”) suggests that they were Christians: ACA, C., reg. 93, f. 286v (12 October 1292).

²²⁶ ACA, C., reg. 111, f. 243r (27 May 1298).

²²⁷ “*quidam uicini dicti loci del Abalat, scilicet en Balech d’en Ninot et duo filii Abrafimi, Sarraceni d’en Ninot, ausu temerario ducti quendam fratrem dicti monasterii uocatam fratrem Johannem Tholosanum percuserunt, nuper atrociter uulnauerunt, et alios per uicinos dicti loci del Abalat plures iniurie uiolencie dampna et grauamina abbati, monachis et bonis dicti monasterii sunt illata et inferuntur cotidie, indebite et iniuste . . .*”: ACA, C., reg. 108, f. 41v (27 June 1297).

²²⁸ ACA, C., reg. 108, f. 75r (1 June 1297).

Muslim crime victims (although his motive may have been financial rather than altruistic); he had not only refused to grant the accused provisional liberty, but had convicted them summarily. For their part Muslim suspects in capital crimes were well aware of their legal rights – the three defendants demanded to stand trial before the court in Barbastro as was their right, and sent agents to bring their complaint before the royal court.²²⁹ Indeed, Muslims were more than capable of acting without Christian accomplices in perpetrating crimes of violence, as reflected by the order to the *justicia* of Daroca to take custody of and execute a *mudéjar* bandit, Jahiuellas, a.k.a “Garcie el Moro,” “on the occasion of the many murders, rapine and misdeeds committed by him.” The document suggests that “Garcie”’s career had lasted some time.²³⁰

The survival of many documents which refer to acts of violence against Muslims has contributed to a perception of their community as marginalized and particularly vulnerable to act of aggression. Indeed, it is undeniable that *mudéjares* suffered attacks at the hands of Christians. In 1295, for example, the Commander of Miravet complained that Petrus Ferrandi, the lord of Híjar, had raided the order’s lands and carried off some of its Muslim tenants, while the previous year the abbot of Rueda complained that the lord of Sasé had attacked and abducted his Muslims of Codos.²³¹ When a group of men of the Temple attacked and killed some of their rival Calatrava’s men at Algás in 1296, Raymundus de Molina, the *superiunctarius* of Zaragoza, seized some of the Temple’s Muslim subjects as collateral, for which he was reprimanded by the king.²³² Muslims were victims of Christians in each of these cases, but the context of each shows that the motivation was not strictly sectarian. Rather, as in many such cases, they were third-party casualties of what were essentially inter-Christian rivalries. Small comfort, perhaps, to the victims, but significant when the place of *mudéjares* in the Crown is analyzed.

Incidents of this type must be considered within the general atmosphere of lawlessness and violence which characterized the Crown throughout the thirteenth century, attested to widely in documents and chronicles; bandits and raiders were not usually picky about the religious identity of their victims. Thus, when the *homines* of Artesa (including, perhaps, Muslims as well as Christians) raided “las Cavas” they carried off the property of Muslim and Christian inhabitants.²³³ In another case,

²²⁹ ACA, C., reg. 123, f. 103v (28 April 1301), cit. BMA, pp. 259–260, doc. 708.

²³⁰ “occasione plurimum homicidiorum et rapinarum et maleficiorum per ipsum commissorum . . .”: ACA, C., reg. 89, f. 97r (21 May 1295).

²³¹ ACA, C., reg. 100, f. 290v (10 January 1295); ACA, C., reg. 97, f. 186v (8 January 1294).

²³² ACA, C., reg. 340, f. 72r–v (21 May 1296). ²³³ ACA, C., reg. 96, f. 86v (21 October 1293).

in 1293 a party from the village of Somed (near Calatayud) raided the properties of the Monastery of Piedra, killing a number of its men and carrying off animals and property.²³⁴ Although *mudéjares* suffered in this manner, Christian peasants were also vulnerable to abduction, as the subjects of the Monastery of San Salvador of Brea found when they were attacked and held for ransom in 1295.²³⁵

Such reports are not at all unusual, and the ubiquity of violence is reflected not only in these complaints, but in demonstrations of royal frustration at the frequency of such occurrences. In 1281, for example, Pere II demanded restitution for the depredations of the *richos homines* of Catalonia and Aragon, and later the same year the *infant* Alfons ordered the apprehension of rebels (“rebelles”) in the vicinity of Tortosa who, “impeding or contradicting the jurisdiction and laws of the illustrious lord king,” had taken up armed raiding.²³⁶ In 1293 the *universitas* of the villages of Teruel complained of the attacks they were suffering at the hands of nobles (“*infantibus*”), and a year later, Geraldus de Cardona was reportedly attacking the lands of Lleida, carrying off men and beasts for ransom. Nor was the Church safe: in 1295, the monks of Poblet were attacked by a gang of *homines* with ballistae and lances, and the same year, the town of Borja took advantage of the absence of the local Commander to rustle five hundred sheep belonging to a vassal of the Hospital.²³⁷ Frustrated at the inability of his subordinates to maintain the peace, an obviously annoyed Alfons II issued a firm rebuke to the lieutenant *superiunctarius* of Zaragoza in 1290 for not attending to the “many homicides, thefts, robberies, and other grave misdeeds perpetrated and committed” in his jurisdiction at the very time the *cortes* were being celebrated there.²³⁸ Not all officials, however, were so inefficient. The chronicle of the *justicias* of Teruel, for example, recalls that “Don Pero Ximenez d’Iranço,” the incumbent for the year 1292–93, pursued and punished the highwaymen who plagued the countryside. “And he made and carried out many judgments and greatly persecuted the *almogàvers* who were robbing on the highways” – a Roy Bean for the Aragonese Extremadura.²³⁹ In the thirteenth century violence was not sectarian, it

²³⁴ ACA, C., reg. 98, f. 103v (20 May 1293). ²³⁵ ACA, C., reg. 101, f. 11r (5 April 1295).

²³⁶ “rebelles et impediendes seu contradicentes iurisdiccioni siue iuribus illustrissimi domini regis patris nostri . . .”: ACA, C., reg. 59, f. 111v (9 October 1282).

²³⁷ ACA, C., reg. 59, f. 111v (11 October 1282); ACA, C., reg. 99, f. 263v (8 July 1294); ACA, C., reg. 101, f. 16v (14 April 1295); ACA, C., reg. 102, f. 96r (9 November 1295).

²³⁸ “multa homicidia, furta, ropperie et alia grauia maleficia perpetrata et comissa sunt”: ACA, C., reg. 85, f. 183v (26 June 1290).

²³⁹ “Este fizo et cumplio muchas justicias et escarmento mucho a los ammujaveres que robavan los caminos”: López, *Crónicas de los jueces de Teruel*, p. 116 (AHT).

Muslims under Christian rule

was endemic. If a difference of religious identity provided an excuse for some incidents, in the majority of cases common religious identity did not pose any hindrance to the commission of acts of violence. Thus, not only *aljamas*, but also Christian communities and organizations, were granted tax remissions in order to compensate for their sufferings at the hands of bandits, raiders, and renegade nobility.²⁴⁰

Although a great deal of the internal violence of the Crown can be attributed to the “political” situation of the *Uniones* (which provided the nobility with a justification for their depredations), it is difficult to distinguish between actions undertaken with the larger aim of greater noble autonomy and simple raiding. In 1281, for example, the nobleman Rogerius de Cardona had been chastized for murder, rapine, and unlawful confinement, among other misdeeds, taking advantage of Pere’s absence in the *guerra Sarracenorum* to attack “cities, castles, towns, estates, and other religious and ecclesiastical properties, public and private highways and other properties and lands of the lord king.”²⁴¹ Vendettas and seigniorial conflicts also provoked attacks. For example, in 1291 the villagers of Falset waylaid travelers belonging to the Order of Calatrava and held them captive for six weeks. The document claims that the townsmen had been “instigated by a diabolical spirit” (“*spiritu diabolico instigati*”), but it may well have been their seignior, Berenguer de Entenza (or d’Entença), Lord of Mora, who had encouraged them because of a dispute with the Order.²⁴²

The nobility, for their part, were only too aware that they could frequently commit crimes and use their influence to bargain for clemency after the fact. For example, pressed by France in 1286, Alfons II agreed not only to pardon whatever crimes Ferrarius de Apulia had committed but also to give him five thousand *solidi* in exchange for the fealty and military support he had pledged.²⁴³ But noble violence had long been a problem in the Crown: the “Peace and Truce” legislation designed to limit it had been in place since the early eleventh century.²⁴⁴ Interminable inter-noble raiding had characterized Jaume I’s early years and was a source of suffering for Christian and Muslim subjects alike. Thus, the king recounted how in 1218, while the young Jaume was in Zaragoza, Rodrigo Liçana attacked the lands of Lop d’Alvaro:

²⁴⁰ See p. 146.

²⁴¹ ACA, C., reg. 47, f. 20r–v (3 September 1281); “*contra ciuitates, castella, uillas, mansos et loca religiosa et ecclesiastica, stratas publicas et priuatas et alia loca et terras ipsius domini regis . . .*”: ACA, C., reg. 47, f. 14v (6 September 1281).

²⁴² ACA, C., reg. 90, ff. 42v–43r (17 September 1281).

²⁴³ ACA, C., Alfons III, pergs., carp. 119, no. 70 (2 May 1286).

²⁴⁴ See pp. 91 and 272.

Muslims and Christian society

Don Rodrigo would have taken [the castle] had not lord Lop d'Alvero defended it from him and defied him, and he would have taken the castle and the town of Albero, as well as ten thousand *kafizes* of bread which were [Lop's], beyond the harm which he would have done to the Christians and Muslims of Albero . . .²⁴⁵

Pere II fared little better than his father in suppressing aristocratic violence, and in 1278 he levied a tax specifically "on account of the many injuries done to Us and Our dominion and the inhabitants of Our lands at the hands of certain magnates of Catalonia," during the latter's revolt of that year.²⁴⁶ In fact, renegade nobles could attack Christians and Muslims alike with near impunity; regardless of the identity of their victims, royal reprimands normally contained no punitive clause and were usually limited to demanding restitution of the stolen goods and abducted persons. For example, when men under Vallesius de Antilione attacked the vassals of the Temple and rustled a quantity of their sheep in 1294, the noble was not punished, but merely ordered to return the livestock in question to its owners. Vallesius was, in fact, an avid rustler, having helped himself to herds belonging to Çalema, the master engineer of Lleida, the same year.²⁴⁷

Throughout the 1200s travelers of all faiths risked theft and capture when moving across the Crown. Highway robbery was common and, although Muslims and Jews often figure as victims, Christians suffered attacks as well. Hence, the Portuguese merchant Johannes Roderici and his wife were attacked in Cetina in 1284 by a local man and his cohorts, while travelling on a public highway ("strata publica").²⁴⁸ Six years earlier, while travelling to the market (*fira*) of Lleida, "R." Sancier of Tamarite was waylaid on the royal highway by "B." de Claramunt and "A." de Literano.²⁴⁹ In this regard, Muslims' particular vulnerability lay in the fact that they were more likely to be physically abducted in the course of a robbery; Christian travelers were usually just robbed and left to carry on their way. This was particularly common when the culprit behind the attack was a seigniorial entity: a noble, town council, or ecclesiastical lord, many of whom practiced the arbitrary detention of *mudéjares* whom they encountered outside of the jurisdiction of their own lords. In a typical case, the Abbot of Rueda was chastized in 1284 for capturing Mahoma

²⁴⁵ "don Rodrigo l'havia pres, si que no es guardava don Lop d'Alvero d'ell, ni l'havia desfiat, e li havia tolt lo castell e la villa d'Alvero, e bé de deu millia cafices de pa qui eren seus, altra lo mal que li havia feit, als crestians e als sarraïns d'Alvero . . .": Jaume I, "Crònica o llibre dels feits," p. 8, chap. 15.

²⁴⁶ "pro pluribus iniuriis nobis et dominationi nostre ac hominibus terre nostre illatis per quosdam ricos homines Catalonie": ACA, C., reg. 22, f. 85r-v (9 June 1278).

²⁴⁷ ACA, C., reg. 100, ff. 74v-75r (16 September 1294); see also pp. 196-197.

²⁴⁸ ACA, C., reg. 43, f. 108v (29 January 1284). ²⁴⁹ ACA, C., reg. 41, f. 7r (30 October 1278).

Muslims under Christian rule

and Çulema filii Çahet de Agramet, vassals of the Temple, who were traveling from their homes in Razazol to Miravet.²⁵⁰

Sectarian violence

Examples of explicitly sectarian violence directed towards Muslims are rare in the thirteenth century. The most dramatic instance, an attack on the *morería* of Ambel in 1263, apparently by the greater number of the Christian community, left five dead.²⁵¹ Unfortunately, the accounts of such incidents make it difficult to determine whether sectarian religious prejudice was the motive, or it whether this violence was an expression of tensions related to other issues.²⁵² In the case of the pogrom at Ambel, the root cause may have been a larger struggle between the Temple and the townsmen, who vented their displeasure by attacking the Order's Muslim subjects. This is suggested by the terms of the punishment which the Provincial Master meted out to the townfolk, after the eighty-one Christians named in the indictment offered to forfeit their lives and the liberty of their families in view of their guilt. They did not state the motive of the attack, but the terms which were imposed by the Temple on the offenders did not mention the Muslims at all, but related, rather, to the townsmen's agreement to respect the Order's tax rights, monopolies and irrigation regulations.²⁵³ Similarly, when the Order of Calatrava at Alcañiz (which, as noted, enjoyed quite amicable relations with its Muslim subjects) promised to expel the Muslims from the town of Calanda in 1277, it was not due to any antipathy which they felt towards *mudéjares*, but rather because the cathedral chapter of Zaragoza had requested they do so, in order to bring these Muslims' lands under the tithe.²⁵⁴ In fact, the order does not seem to have complied with its pledge, since there was still an *aljama* in the town in 1293.²⁵⁵

²⁵⁰ ACA, C., reg. 43, ff. 55v–56r (11 November 1284). This document shows the range of movement which ordinary *mudéjares* undertook. The distance from Razazol to Miravet was some 220km, a trip which was undoubtedly made by river craft.

²⁵¹ M. L. Ledesma Rubio, "Marginación y violencia. Aportación al estudio de los mudéjares aragoneses," *Aragón en la Edad Media* 9 (1991): 206; see also Gerrard, "Opposing Identity," p. 159.

²⁵² Recall the violence in Pina, directed at the Jewish community, but undoubtedly tied to economic tensions (noted above, pp. 206).

²⁵³ AHN, OM, pergs., carp. 629, no. 20 (26 September 1263); AHN, OM, pergs., carp. 629, no. 23 (8 October 1263).

²⁵⁴ Ledesma, "Marginación y violencia," p. 208. See p. 133 for the Church's legal position on collecting tithes from Muslims. Similarly motivated expulsions were recorded in the same period in the Aragonese uplands, at Fañanas, Antillón and Lascellas (*ibid.*, p. 207).

²⁵⁵ See p. 278.

In sum, documents which record acts of possibly religiously motivated violence or discrimination must be interpreted with great care. In 1278, for instance, several *homines* of Castelló (in Valencia) were remanded for lynching a Muslim and his wife who were being held by the *alcaydus*, but there is no way of determining if this was a sectarian act or whether it was sheer coincidence that the couple who had aroused the frenzy of the mob were Muslim.²⁵⁶ Analogously, Abolmalech of Huesca's deprecation of a Jewish cemetery in his hometown, and of the synagogue of Monzón, may seem at first glance to be indications of sectarian tension – but the same suspect's alleged murder of a fellow Muslim cannot be. Indeed, Abolmalech's indictment for “the harm or injury and indeed many misdeeds he committed against Christians, Jews and Muslims . . .” indicates that he was not very particular about the religious convictions of his victims.²⁵⁷

On the other hand, the violent attack perpetrated by Muslims on the Jews of Daroca in 1290, while the latter were preparing to commemorate the recent death of Pere II, may well have had ethno-religious motivations.²⁵⁸ But there is no indication that the majority of the Muslim population participated, nor that the Jewish community, rather than certain definite individuals, was the target. Thus, the possibility of a “mundane” or personal motive cannot be discarded. In the absence of evidence for previous tension, however, the attack was probably related to the order which members of each ethno-religious community were to occupy in the procession. In other words, were the Jews or the Muslims going to march first in the parade?²⁵⁹ This would have reflected the relative status of each group before the king and, therefore, the relative prestige and power of its leading members. In the fourteenth-century Crown royal funeral processions regularly became the occasion for violence between Muslim and Jewish groups vying for the more distinguished position in the cortege – a symptom, perhaps, of the decline of social equilibrium between Christians and Jews, the latter of whom thus felt an acute need to reinforce their prestige publicly by placing themselves before

²⁵⁶ ACA, C., reg. 41, f. 18r (29 November 1278).

²⁵⁷ ACA, C., reg. 41, f. 88r (2 June 1279); “malum seu dampnum et plura etiam maleficia comisit Christianis, Iudeis et Sarracenis . . .”: ACA, C., reg. 41, f. 107r (18 July 1279).

²⁵⁸ ACA, C., reg. 85, f. 196r (15 July 1290); ACA, C., reg. 85, f. 199v (16 July 1290), cit. Régéné, *History of the Jews in Aragon*, p. 43, doc. 2367.

²⁵⁹ A letter sent by Martí I to the authorities of Huesca in 1407 indicates that such disturbances were the result of dispute over who would “go first” (“*irían e serían primeros*”) in public celebrations or funeral processions: ACA, C., reg. 2180, f. 128r (18 March 1407); thanks to Jaume Riera for this reference and helpful comments.

the Muslims.²⁶⁰ The thirteenth-century records disclose no episodes of Jewish communal violence directed towards Muslims, but at this time Jewish sectarian “violence” may have taken more subtle forms; for example, through the economic pressure which could be brought to bear on Muslim debtors.

On the other hand, Christian attacks on Muslim cemeteries certainly seem to have had a chauvinistic dimension. Even if simple robbery was the motive behind the illegal exhumations which outraged the *aljama* of Zaragoza in 1292, it was a crime of a type which would not have been committed against a Christian churchyard.²⁶¹ The *aljama* also complained of the use of their burial ground as a “place of public prostitution” (“locus publicus meretricum”).²⁶² Another infringement was recorded in 1291 at Alagón, where Jaume II stepped in to protect the Muslims, who complained that Christians, in an apparent attempt to squeeze them out of the town, had begun to build in their cemetery, desecrating graves and “damaging” the mosque.²⁶³ Three years later a group of Christians who were caught quarrying the Jewish and Muslim cemeteries in Lleida were pardoned by royal grace.²⁶⁴ Thus, sectarian “violence” could take forms which were not, strictly speaking, physical. Indeed, specifically anti-Muslim “violence” in this era tended to take the form of abuses of the *mudéjares*’ rights, rather than physical assault. Thus, the castellan of Aranda, Johannes Eximinis de Urrea, was reprimanded in 1291 for forcing members of the town’s *aljama* to carry wood and water to the castle.²⁶⁵ According to Lourie, Muslims and Jews of Lleida were parodied during certain Christian festivals – not a form of violence in itself, but perhaps a prelude and certainly an indication of some sectarian antipathy.²⁶⁶ This is not surprising; public celebration of festivals served to galvanize Christian identity and, as a corollary, heightened Christian awareness of and antipathy to non-Christians. Moreover, popular festivals

²⁶⁰ Nirenberg discusses violence of this type in *Comunidades de violencia. La persecución de las minorías en la Edad Media* (Barcelona: Península, 2001), pp. 257–261 and 336–37 (not in English edition).

²⁶¹ ACA, C., reg. 90, f. 215v (2 January 1292).

²⁶² This charge resonates with Andalusí *hisba* manuals which portray cemeteries (one of the few open public spaces in Islamic towns) as venues for illicit encounters, and the haunts of charlatans and salesmen. See, e.g., G. M. Wickens, “Al-Jarsifi on Hisba,” *Islamic Quarterly* 3 (1956): 180 and, generally, E. Lévi-Provençal, *Trois traités hispaniques de hisba* (Cairo: Imprimerie de l’Institut Français d’Archéologie Orientale, 1955).

²⁶³ “etiam mesquita iniuriatur . . .”: ACA, C., reg. 90, f. 85v (13 October 1291).

²⁶⁴ ACA, C., reg. 100, f. 302v (24 January 1295); ACA, C., reg. 100, f. 371v (14 March 1295).

²⁶⁵ ACA, C., reg. 90, f. 98v (18 October 1291). The question remains as to whether Christians were also being forced to carry out this service.

²⁶⁶ Lourie, “Anatomy of Ambivalence,” pp. 52–53.

Muslims and Christian society

are emotionally charged, libidinous occasions, and excesses committed in their course cannot necessarily be construed as indicative of attitudes typical of “normal” social discourse. In any event, the case of the Jews was special, given that they were implicated directly in the Christian religious tradition due to their association with the crucifixion of Christ. Their particular vulnerability is reflected in Pere II’s orders to officials in Zaragoza to prevent the stoning of Jews on Maundy Thursday and Easter Sunday.²⁶⁷

Sectarian issues aside, these were hard times, in which unscrupulous individuals took advantage of whomever they felt did not have adequate resources to defend themselves. As in any age, poor people were subject to abuse either by their fellows or those better off. Women were also vulnerable as a result of their gender, as were children, given their diminutive size and legal status as *minores*. Because religious affiliation was one of the main social identifiers and because of its profound legal implications, it was frequently used as a means of marginalizing people or of expressing general discontent through the use of scapegoats. Muslims and Jews were certainly at a disadvantage, given the primacy of Christian law, but they were protected by the king’s interests, their own economic utility, and the law; they were more exposed to violence than Christian subjects, but they were not powerless out-castes.

CONCLUSION

The roles that Muslims played in the defense and administration of local multi-confessional communities, and the expectations which were placed on them, show that they were considered to a significant extent to be responsible members of the society of the Crown in the opinion of the royal authorities, their fellow subjects, and themselves. This is not to say that they were full participants in society – this was not possible given their adherence to Islam and the role which confessional identity played in the order of the world at that time. Likewise, the liberties which they enjoyed did not result from an impulse of “tolerance” on the part of the count-kings – this is a concept which is hardly regarded as a virtue today and was certainly not in the thirteenth century. Attitudes of Christians to conquered Muslims, and of subject Muslims to dominant Christians, were shaped by an array of concerns: mutual necessity, social confidence,

²⁶⁷ Canellas, *Colección diplomática del concejo de Zaragoza*, II, pp. 194–195, doc. 275. For Holy Week stonings, see Nirenberg, *Communities of Violence*, pp. 203–205. This ordinance may account Nirenberg’s failure to find records of Holy Week riots in Zaragoza (*ibid.*, p. 205).

and familiarity. Hence, through the thirteenth century the declarations of the ideologues regarding the need to formally mark differences between Muslims and Christians did not resonate widely. In this Iberia of overlapping and mutating frontiers, the division between Christendom and the *dār al-Islām* was only one of many borders which defined people's concept of the world.

Confessional identity did establish limits on daily individual interaction, but these borders (like the politico-religious frontier) could frequently be crossed with impunity. On the other hand, the generally violent nature of society meant that institutions frequently employed force to obtain their goals and that individuals too were more prone to employ violence as a means of "normal" discourse. This sometimes left *mudéjares*, the subject people, at a disadvantage, in the sense both that there were risks involved in responding with violence to Christians' acts of aggression, and that they were vulnerable to collateral or circumstantial violence in times of tension, when a Christian-composed in-group was led to express its solidarity or insecurity by lashing out at an out-group composed of non-Christians. In this era, however, Jews and lepers tended to fill this role, rather than *mudéjares*, who may have presented too confident an adversary.²⁶⁸ On the whole, however, interfaith hostility *per se* did not loom large on the social map of the thirteenth-century Ebro region. It cannot be argued that Christian officials or nobles either abused or neglected Muslims systematically or in a manner appreciably different from how they abused and neglected Christian subjects. Anomalous declarations such as Vidal de Canellas' remarks in the *Fueros de Aragón* that were it not for Christian protection, *mudéjares* would be hunted down as animals, cannot be interpreted as representative of social reality, but indicative rather of that legist's own chauvinistic impulse.²⁶⁹ Although occasional omens in the form of discriminatory legislation appeared in the late 1200s, the formal marginalization of *mudéjares* did not begin in earnest until the fourteenth century.

²⁶⁸ See *ibid.*, *passim*.

²⁶⁹ The bishop's editorial remark that, were the fine for killing a Muslim or Jew not so high (1000 *solidi*), the Christians would kill them "like animals" ("como bestias") *Vidal*, II, p. 510, sec. IX: 22.2. The 'Vidal' is one of the very rare legal codes of the Crown which adopts a polemical tone vis-à-vis the minorities. Elsewhere the bishop writes of "the evil customs of the traitorous Jews and Muslims" ("las costumpnes malas de los iudios et de los moros traydores"), describing these people as "the enemies of God" ("los enemigos de Dñs") and the Christians as being of "better condition" ("millor condición") *ibid.*, II, pp. 182–83, sec. II: 24.8; II, p. 537, sec. IX: 60.40. Vidal de Canellas was, it seems, a dogmatic individual, a reactionary ideologue whose fulminations cannot be taken as indicative of widespread feelings towards Jews and Muslims in the Crown, and whose attitudes were doubtless influenced by the time he spent abroad studying law at Bologna.

MUDEJARISMO AS A SOCIAL SYSTEM

Arabo-Islamic society in the Ebro region survived the trauma of the Christian conquest and persevered through the twelfth and thirteenth centuries owing to its own adaptability and to the high degree to which Christian society was prepared and obliged to accept its maintenance and integration. Like a square peg rammed into a round hole, the Islamic society of the Ebro endured – not without drastic changes to its outward manifestations, but preserving its essence and identity in important senses. Historians who focus only on one or two elements of the pre-conquest society, such as irrigation or settlement patterns, may be led to deduce that it was destroyed by the Christian conquest, but such a conclusion can only result from an conceptual over-simplification of what composes a society, and of its reduction to these elements. Consider the indigenous American societies, which underwent traumas far more profound than that of the Muslims of the Ebro; it is obvious that they were radically transformed in terms of settlement, production, and social class, but it would hardly be accurate to say that they “came to an end.”

Certain Islamic institutions persisted after the Christian conquest of the Ebro, and others did not; those which remained were transformed, sometimes to such a degree that they survived only in name. The conjunction of Christian and Islamic administrative systems, wholly foreign to each other, from their philosophical underpinnings through to their structures and protocol forced Muslims to adjust native systems and learn to move within Christian ones. Agricultural production and commerce were affected in an analogous manner. The conquest represented the imposition of a new paradigm and the emergence of new conditions, and although an important segment of the Muslim population abandoned their Ebro homeland, whatever emigration took place was not so drastic as to render Islamic society unable to respond to these new conditions. Socially, the *mudéjar* Ebro remained cohesive. Therefore, customs, language, and religion – the hallmarks of ethnicity – survived, even as

Muslims under Christian rule

the Muslims of the Ebro came to consider themselves as subjects of the Christian Crown.¹

The Islamic society of Aragon and Catalonia came through the Christian conquest with a character even more radically “bicephalous” than had been the case before. But if one admits that what we characterize as social and administrative “systems” (at least in the era in question) were *means of describing* social action and attempts to order it, rather than the criteria *by which* social action was determined, it comes as less of a surprise that *mudéjares* could “exist” socially and administratively on Christian and Muslim planes simultaneously – the apparent paradoxes disappear. This type of coexistence is not an exclusively Iberian phenomenon. Analogies to the Christian–Muslim situation in the Ebro can be found around the medieval Mediterranean: in the Venetian colonization of Crete, the Arabization of Egypt and Syria and the coexistence of Berber and Arab culture in the Maghrib, to name but a few examples.² Looking across history, “hybrid” situations appear to be the norm, whereas “pure” cultures, like Platonic universals, are empirically elusive, are of very limited use in describing mundane events or analyzing historical trends, and may exist only in the imagination. Although my examination of the structural interaction of Christian and Muslim society over the course of the four previous chapters reveals the remarkable manner in which these systems balanced distinctiveness and integration, it cannot be considered methodologically complete. In order to fully appreciate the subtleties of this historical habitat, the individuals who peopled it, who navigated the shifting cross-currents of identity and power in order to achieve their goals must be examined. Such is the ambition of the third Part of this work.

¹ Cf. R. Bartlett, *The Making of Europe. Conquest, Colonization and Cultural Change 950–1350* (Harmondsworth: Penguin, 1993), p. 197.

² The analogous situation of Hungary’s Muslim subjects is examined in N. Berend, *At the Gate of Christendom: Jews, Muslims, and “Pagans” in Medieval Hungary, c. 1000–c. 1301* (Cambridge University Press, 2001).

PART III

Individual and community in the Christian Ebro

INTRODUCTION

E sobre açò, un sarraï de l'Illa qui havia nom Ben Abet envià'ens mis-satge . . . e que faria son pleit ab nós, e que en serviria a bona fe, e sens engan . . . E açò fêu aquell àngel que Déus nos envià: e quan dic àngel ell era sarraï, mas tant nos tenc bon lloc, que per àngel lo prenguem, e per açò lo faem com semblança d'àngel.

Jaume I (1276)¹

el dito don Guillem dió del tocho en las espaldas al dito Mahomat, et el dito Mahomet gitando grandes bozes dixo "por que me matades don Guillem, que C. solidos pecho cadaun anno al rey, que el rey no manda que nos matedes, et mas a de me que de uos." Et la ora del dito don Guillem púsole el cabo del tocho a la garganta et díxole "don gargantudo, mucho favlades."

Ali filius de Audella de Montesino (1308)²

To consider developments in the Islamic society of the Ebro solely as an encounter between two rival ethno-social systems is to contemplate only a partial view. An approach which takes as its departure the characterization of every person as either a Christian, Muslim, or Jew is bound to be limited; it assumes a gulf which may not always have been present, given that the social and economic matrix around which many individuals moved frequently defied this division. As Hillgarth points out, the tendency to see history as an anonymous or automatic process may be

¹ "And so, a Muslim of the island who was named Ben Abet sent Us a message . . . [saying] that he would make his pledge with Us, and that he would serve Us in good faith and without deceit . . . And thus did that angel which God sent to Us. And when I call him, a Muslim, an "angel" it is entirely deserved, for We took him for an angel and for all [that he did] he seemed like an angel to Us": Jaume I, "Crònica o llibre dels feits," p. 41, chap. 71. The king recalls a Muslim of Mallorca who aided him and his forces by bringing them supplies during the invasion of 1235.

² "and the said *Don* Guillem struck the said Mahomat on the back with a rod, and the said Mahomat, crying out loudly, exclaimed, 'Why are you killing me, *Don* Guillem? [Me,] who pays one hundred *solidi* in tax each year to the king? The king hasn't given you authority to kill us. And he gets more [in taxes] from me than he does from you.' And at that moment, *Don* Guillem pushed the end of the rod against his throat and said to him, 'You talk a lot, Mr. Big Mouth.'" Ledesma, *Vidas mudéjares*, p. 47. Taken from Ali filius de Audella de Montesino's sworn testimony during the inquiry into the incidents at the Daroca prison in 1308 (see above, p. 143).

Individual and community in the Christian Ebro

misleading, and the role of “masses” should not be over-stated. But nor should historians consign minor historical personalities to the undifferentiated mob. If political “history is created by privileged minorities” and personalities, in social history we should seek out these cliques and characters at lower levels also.³ While groups acting with determination and cohesion acquire a sort of “personality,” the acts of individually “insignificant” characters may be illustrative both of broader social attitudes and of distinct historical processes taking place at the “local” level.⁴

It is unfortunate that the types of sources at our disposal are rather narrow. There is little literature which refers to *mudéjares* of the thirteenth century and none which was produced by them. Whatever records they produced, whatever archives they maintained, have all but disappeared. The rich Christian records which have survived do allow some aspects of *mudéjar* life to be reconstructed in great detail, but this vividness does not completely offset their limited voice and preoccupations. Fortunately, the late thirteenth-century documents do afford glimpses of some of the characters who exemplified the *mudéjar* situation in all its complexity and apparent self-contradiction. In this final part, a series of short studies explores in narrative format many of the themes considered in the second part of the book. Adopting such a microhistorical or prosopographical approach helps to avoid the tendency to analyze documents and the events which they describe in isolation. By viewing historical episodes in the context of the people who were involved (rather than vice versa), we may avoid the temptation to misread singular events as universally significant.⁵ Simultaneously, by delineating some of the denizens of the social landscape of the Crown, we can better read the meaning of local events, in order to “think beyond narratives of originary and initial subjectiveness and to focus on those moments or processes that are produced in the articulation of cultural differences.”⁶ The following case studies aim to show us this society “as far as possible, through the eyes of its actors,” as well as aid in the laudable endeavor of “making sure that history is never boring.”⁷

³ Hillgarth, *The Spanish Kingdoms*, I, p. ix.

⁴ See C. Geertz, *Interpretation of Cultures* (New York: Basic Books, 1983), p. 22; also G. Levi, “On Microhistory,” in *New Perspectives on Historical Writing*, ed. P. Burke (Cambridge: Polity, 1992), pp. 93–113, and J. Sharpe, “History from Below,” *ibid.*, pp. 24–41.

⁵ Meyerson warns against extrapolating trends from isolated documents: see *The Muslims of Valencia*, p. 216.

⁶ Bhabha, *The Location of Culture*, p. 1.

⁷ The first goal is Hillgarth’s (*The Spanish Kingdoms*, I, p. x.), while the second goal was the stated aim of the English social historian Lawrence Stone, quoted in his obituary, “Dynamic Academic who made Social History Exciting,” by Michael Thompson, *The Guardian* (7 May 1999). Professor Stone propounded the role of narrative in historiography in his “The Revival of Narrative: Reflections on a New Old History,” *Past and Present* 85 (November 1979): 3–24.

FISCAL AND CONFESSIONAL IDENTITY:
THE GALIPS, TEMPLAR VASSALS IN
ZARAGOZA (1179–1390)

The imposition of the Christian tax regime on the Muslims of the Ebro entailed much more than the mere redirection of taxes to a foreign fisc; the two systems were ideologically and practically distinct, and what had been a personal and quasi-religious obligation under Islam was converted into a communal and secular affair. The concepts which Christian practice brought included distinct categories of tax-payers, multiple tax jurisdictions, and personal or institutional privileges of exemption (*franquitas*). The last of these caused particular stresses, sowing conflict among *aljama* members and cementing bridges of interest between Muslim and Christian parties. A textbook case of what must have been a quite typical conflict is that of the Galip family of Zaragoza.¹

This family can be traced back to at least 1179, when Alfons I granted a certain “Galibh” of Zaragoza to the Temple, and next appears in 1278, in Pere II’s extraordinary levy on the *franci* Muslims of the city.² Here, the Templar vassal “Jucef de Galip” is assessed at 400 *solidi*, revealing him as the head of one of the city’s wealthiest Muslim families.³ By this time, tensions were building between the wealthy *franci* and the majority of the *aljama*’s inhabitants, who received a charter in 1284 confirming their right to levy royal taxes on this group.⁴ For their part, the *franci* were determined to avoid paying and were aided in this by ambiguities in the definition of *franquitas*. For instance, some had been granted concessions on the basis of administrative service, and others due to affiliation with a tax-exempt organization. By royal privilege, all Templar vassals in the Crown enjoyed an exemption which included (according to a ruling of

¹ The conflict between the Galip family and the Muslim *aljama* of Zaragoza is examined in detail in B. A. Catlos, “Ambigüitat jurisdiccional.”

² AHN, Cod. 649b, no. 194 (August 1179).

³ “Jucef de Galip qui es del Temple”: ACA, C., reg. 22, f. 98v (6 August 1278), ed. Soldevila, *Pere el Gran*, II, p. 225, chap. 80.

⁴ Referring to individuals with *franquitas*, the *merinus*, Galatanus de Tarba, was ordered to compel the Muslims who had “special status” (“qui sunt specialiter atributati”) to contribute. [ACA, C., reg. 43, f. 39r (10 October 1284).]

Case study 1

1209) *aljama* taxes.⁵ But over the century which had passed since Galibh had been associated with the order, the family had undoubtedly acquired other non-exempt properties (e.g. *realencho* property). In the 1270s all of the *franci* Muslims of the city were claiming a total *franquitas* from community taxes, causing the *aljama* to object; thereafter, in 1279 it received the right to tax all *realencho* lands, regardless of the owners' status, and the *merinus* was ordered to seize the goods of any resisters.⁶ Compounding the confusion, unentitled Muslims had been posing as *franci*, so a general inquiry was held, and all claimants were ordered to present charters confirming their status.⁷ Five months later, in spite of his earlier pro-*aljama* ruling, Pere II acknowledged claims to immunity supported by "charters and other legitimate motives" ("instrumenta et alias iustas rationes").⁸ Nevertheless, when Alfons II came to the throne, the *aljama* quickly succeeded in obtaining authorization from the new king to collect taxes from the *franci* for their *realencho* land.⁹ It was only a matter of time, however, before the *aljama* tried to extend its jurisdiction to cover legitimately exempt lands held from tax-immune organizations. Hence, in 1287 the local Temple Commander complained to the king that the *aljama* was aggrieving Jucef Galip in this manner. Alfons II responded, ordering the *merinus* to restore property which had been seized from Jucef on this basis, and sent a warning to the *aljama* not to pursue the Temple vassal "against ancient privilege and custom" ("contra . . . priuilegium ac consuetudinem antiquam").¹⁰

Four years later, with the accession of the new king, Jaume II, the *aljama* petitioned for a sizeable reduction in its annual tribute and once again obtained the right to collect taxes from all the residents, "notwithstanding any privilege" ("non obstante aliquo priuilegio").¹¹ The *aljama* followed this up with further allegations that some members were falsely claiming *franquitas*, and the *baiulus generalis*, Ennegus Luppi de Jassa, was ordered to call a hearing and resolve the affair justly, according to the "*sunna* of the said Muslims" ("iuxta dictorum Sarracenorum assunam").¹² Jucef Galip

⁵ AHN, Cod. 649b, no. 121 (27 February 1209; 19 July 1292); AHN, Cod. 649b, no. 168 (5 July 1209).

⁶ ACA, C., reg. 253, f. 50r-v (12 July 1279). The Jewish community had won a parallel case prior to 1286: ACA, C., reg. 66, f. 103v (2 June 1286, confirming an undated privilege).

⁷ ACA, C., reg. 49, f. 51v (19 March 1281), ed. Canellas, *Colección diplomática del concejo de Zaragoza*, II, p. 157, doc. 205.

⁸ ACA, C., reg. 50, f. 161r (15 August 1281), ed. *ibid.*, pp. 177-178, doc. 241.

⁹ See above, n. 6.

¹⁰ ACA, C., reg. 70, ff. 126v-127r (8 June 1287); ACA, C., reg. 70, f. 128v (10 June 1287).

¹¹ ACA, C., reg. 192, f. 17r (12 October 1291). The remission of half of the 4000-*solidi* tax was made at the king's grace on account of the *aljama*'s poverty: ACA, C., reg. 193, f. 134r-v (22 November 1291).

¹² ACA, C., reg. 90, f. 184r (29 November 1291).

The Galips, Templar vassals in Zaragoza (1179–1390)

quickly lodged a complaint regarding Ennegus' decision, and at a subsequent hearing his personal *franquitas* was upheld by royal order.¹³ Galip's claim was corroborated by the Temple Commander, who intervened on his behalf, citing the *aljama* for "undeservedly and unjustly" ("indebite et iniuste") demanding that Jucef contribute, and for confiscating his property again ("noviter"). The Muslim community was ordered to return his goods and threatened with action by the *merinus*.¹⁴ Yet, five days later the *aljama* stepped up pressure on the *franci* who held *realencho* lands, obtaining a new order for the confiscation of their goods and qualifying them as "rebels" ("rebelles"), and less than a week after that, the *aljama* received a new confirmation of its right to collect royal taxes from all of the city's Muslims.¹⁵ In the charter Jaume specifically overrode any previously granted privileges and confirmed, "We wish no one to be able to be excused."¹⁶ On the same day the king wrote to the *aljama* regarding Galip specifically, stating that if the Templar vassal was not explicitly mentioned as exempt in the various royal privileges granted over the years, he would in fact be held liable.¹⁷ The source of the apparent discrepancy may be that Galip did not actually have any *realencho* land, and so was *francus* by virtue of this fact rather than any privilege, or it may simply have that the *aljama* had sought to supersede Galip's latest confirmation by requesting a general confirmation (without mentioning him in particular), taking advantage of the fact that in the royal chancery the left hand might not know what the right hand was doing.

Whatever the motive, the *aljama* did not hesitate to use this royal license to tax the *franci*. Within two months a contingent of Muslims who were claiming *franquitas* (led by the Bellido family) brought suit against the community for breach of their privileges. The royal magistrate, Bartholomeus de Slava, was ordered to conduct a hearing.¹⁸ Two days earlier, the Temple had filed a similar complaint on behalf of Galip, the result of which was an immediate order to the *merinus* Egidius Tarini to return the goods which the *aljama* had seized from "the said Muslim, a soldier of the Temple" ("dicto Sarraceno milite Templi").¹⁹ But the injunction seems to have had little effect, as four months later the Temple complained again that Jucef was being aggrieved. This time the *merinus* was ordered to launch an inquest.²⁰ The *aljama* immediately objected,

¹³ AHN, Cod. 649b, no. 259 (22 December 1291).

¹⁴ ACA, C., reg. 90, f. 197v (15 December 1291).

¹⁵ ACA, C., reg. 90, f. 211v (20 December 1291).

¹⁶ "neminem uolumus posse . . . excusari": ACA, C., reg. 192, f. 57r (26 December 1291).

¹⁷ In the letter he appears as "Juceffu[s] de Galem": ACA, C., reg. 90, f. 216r (26 December 1291).

¹⁸ ACA, C., reg. 91, f. 52v (1 March 1292).

¹⁹ ACA, C., reg. 91, f. 56r (28 February 1292).

²⁰ ACA, C., reg. 92, f. 136r (25 June 1292).

Case study 1

however, claiming that certain documents were of dubious authenticity and alleging that Egidius Tarini was biased in favor of their opponents. These claims were not dismissed by the king, who reassigned the case to Bartholomeus, the royal judge, ordering him to review the relevant charters.²¹

As the *aljama* remained in possession of the property it had confiscated from Galip, a speedy resolution was not necessarily in its interests and, in this sense, the royal *judex* played into its hands. Six months later the case had still not been resolved, as an order of December 1292 shows. The Temple Commander, Raymundus Oliver, complained that Galip's status had still not been clarified, and Bartholomeus was ordered to call a hearing and render a decision.²² Meanwhile, the Commander had been facing a parallel battle against the *aljama* of Ricla, which was aggrieving its Muslim vassals and *exarici* in the same manner. In March of 1292, the *merinus* Tarini had been ordered to uphold the *franquitas* of the Temple's Muslim subjects in that town.²³ Ten months later, when the order asked for a general confirmation of *franquitas* for its subjects in Ricla, it may have been with a mind also to strengthen its case in the Zaragoza controversy, by way of precedent.²⁴ In the meantime, Raymundus strove to get things moving in Galip's case, which under Bartholomeus' direction had stalled. Probably as a result of his complaints, the judge was pulled from the case and Johannes Sapate, the *justicia* of Aragon, was ordered to hear the Templar defense. This consisted of reiterating the general privileges of immunity granted to the Military Order and stressing Galip's formal association with it as a "brother" (*frater*).²⁵

Whether or not the *justicia* in fact made a decision in the case is not known; more than a year elapsed, during which it is uncertain whether Galip managed to recover his property. In any event, in the fall of 1293, either to bolster its case or in a further attempt to take advantage of royal bureaucratic disorganization, the *aljama* again requested and received a strongly worded confirmation of its right to collect tax contributions for all *realencho* property.²⁶ Early the following year the community went on to accuse Jucef and other Muslim vassals of the Military Orders of evading their tax burden by claiming that *realencho* properties which they

²¹ ACA, C., reg. 92, f. 147r (28 June 1292); ACA, C., reg. 92, f. 144v (1 July 1292).

²² ACA, C., reg. 93, f. 349r (25 November 1292). Raymundus Oliver was the Commander at Zaragoza from August 1292 to April 1294 and from June 1297 to the Order's dissolution: Forey, *The Templars in the 'Corona de Aragón'*, p. 445.

²³ ACA, C., reg. 91, f. 77r (13 March 1292).

²⁴ ACA, C., reg. 94, f. 152[144]r (4 January 1293).

²⁵ ACA, C., reg. 94, f. 203v (27 December 1292).

²⁶ ACA, C., reg. 100, f. 50r (6 September 1294).

The Galips, Templar vassals in Zaragoza (1179–1390)

held belonged to the Temple or Hospital. Accusations of this type surface from time to time in contemporary Aragon, where Christian individuals or organisations colluded with Muslims so that the latter might escape their fiscal obligations. According to the king, the *aljama* alleged that

Jucef Galip, Abohali Almaguar and his mother and certain other Muslims of the *aljama* impetuously withdraw from and evade the *peytas*, tributes and other royal taxes which they are liable just as the other Muslims of the aforesaid *aljama*, [and] at the time when some imposition or tax is imposed by Us on the said *aljama*, they hide in the houses of the Temple, the Hospital and of other [Christian] inhabitants of Zaragoza, along with their wives, children and belongings . . . and in the aforesaid houses they hide and remain until the *peyta*, tribute, or tax which we have asked to be levied by the *aljama* has been paid.

The *merinus* and *zalmedina* of the city were ordered to investigate and resolve the matter; if the allegations proved to be true, they were to take action, seizing property and arresting the miscreants, where appropriate.²⁷

Meanwhile, on the basis of royal confirmations which it had received the *aljama* went into action, again confiscating Galip's goods. Naturally this prompted a fresh complaint on the part of the Temple, which inexplicably does not refer to the inquest which had already been undertaken. The new *justicia*, Eximinius Petri de Salanova, was assigned the case.²⁸ In July 1295, the Temple complained again. Apparently the *aljama* (represented by Egidius Tarini, the *merinus*) had embargoed and sold an olive orchard and field belonging to Jucef. This had been justified on the basis of one of the *aljama*'s blanket privileges to tax all local Muslims, dispensations notwithstanding, but ignored the fact that Galip's case was before the courts (*lite pendente*). As a defense the commander again emphasized Jucef's relation to his order as a tax-exempt "brother" (*frater*).²⁹

The paper trail was becoming more confused, complicated by the negligence of royal officials and the organizational limits of chancery administration. Eleven months later the *justicia*, it seems, had still not rendered a decision on the previous suit, and a note directed him to investigate whether the *judex* Bartholomeus had entered a judgment.

²⁷ "Juçeff de Gali [*sic*], Abohali Almaguar et mater sua, et aliqui aliqui [*sic*, for 'alii'] Sarraceni dicte aliame uiolenter subtrahere et excusare peytas, tributa, et alias exacciones regales ad que tenentur, simul cum aliis Sarracenis aliame, predicto tempore quo dicte aliame per nos aliquam demandam seu exaccionem imponitur, latitant per domos Templi, Hospitalis et aliorum hominum Caesaraugustae cum uxoribus, filiis, bonis . . . eorum et in predictis domibus latitant et morantur donec quosdamac [*sic*] peyta tributum seu exaccio quam a predicta aliama peti facimus est soluata . . .": ACA, C., reg. 100, f. 379r (19 March 1295).

²⁸ ACA, C., reg. 101, f. 19r (16 April 1295).

²⁹ ACA, C., reg. 101, ff. 178v–179r (4 July 1295).

Case study 1

Apparently the royal court had forgotten that the original judge had not, and that the case had been reassigned from him to Egidius' predecessor more than three years earlier.³⁰ The matter of the orchard and field had also been assigned to the *justicia*, who found in Galip's favor; but late in 1297, at least eighteen months after the verdict had been given, the local authorities had still not returned the confiscated land, prompting Jaime II to reiterate his order to execute the *justicia's* sentence at Jucef's request.³¹

Pushing ahead, in July 1297 the *aljama* again requested and received a confirmation of its right to levy taxes on the *realencho* holdings of all the *moreria's* inhabitants.³² Apparently this was granted in response to allegations that certain wealthy ("habudent in bonis") *francae* widows were acting as tax-shelters for their friends and relations.³³ The Temple, for its part, obtained its own confirmation, upholding the unreserved *franquitas* to which all of its subjects, Christians, Muslims, and Jews, were entitled – a charter which effectively confirmed Galip's position.³⁴ A month later separate and specific dispensations were issued to three Muslim parties, confirming their status as *franci* and reiterating that they should not be aggrieved as a result of the community's privilege. These included "Lupus [*sic*] filiu[s] Juceffi" and his mother Çofra, five Bellido men and Jucef Galip.³⁵ Meanwhile, at the *aljama's* request, the king once again ordered Eximinus Petri de Salanova to conclude the main lawsuit between Galip and the Muslim community.³⁶ Instead of waiting for a result, however, the *aljama* secured new permission to collect tax on all *realencho* land owned by any of its members in January 1300, "regardless of any privilege which had been granted by Us or Our predecessors."³⁷ Then, with this document in hand, it again confiscated the Galip family's goods. After five months, at the request of the Temple and Jucef Galip, the king ordered the *merinus* to restore this property.³⁸ Then, just four days later, Jaime dictated another letter to the *merinus*, reminding him that he had been sent royal orders twice (in January and February of the same year) confirming the *aljama's* right to tax all of its members, irrespective of any privileges. Only one exception was noted: a case still pending, involving some

³⁰ ACA, C., reg. 103, f. 298v (19 March 1296).

³¹ ACA, C., reg. 103, f. 277v (22 March 1296); ACA, C., reg. 106, f. 26v (18 Oct 1297).

³² ACA, C., reg. 108, f. 172v (4 August 1297). ³³ ACA, C., reg. 108, f. 135r (14 July 1297).

³⁴ ACA, C., reg. 108, f. 137r (15 July 1297).

³⁵ ACA, C., reg. 108, f. 181r (5 August 1297); ACA, C., reg. 108, f. 182r–v (8 August 1297).

³⁶ ACA, C., reg. 110, f. 142r (10 May 1298).

³⁷ "non obstante aliquo priuilegio a nobis siue nostris predecessoribus concessio": ACA, C., reg. 115, f. 212r–v (4 February 1300), cit. BMA, p. 203, doc. 521.

³⁸ ACA, C., reg. 117, ff. 102v–103r (17 May 1300), cit. *ibid.*, p. 203, doc. 547.

The Galips, Templar vassals in Zaragoza (1179–1390)

Hospitaller *mudéjares* (including the Benhauar family) who claimed to be completely tax-exempt, even for *realencho* property.³⁹ It seems that, on the one hand, the royal court was anxious to maintain Muslims' *franquitas*, while on the other, the *aljama* was over-compensating by demanding contributions from truly enfranchised *mudéjares*. Three years later, the *aljama* complained again, provoking Jaume to order the *baiulus generalis*, now Egidius de Jacca, to investigate anew the rights of those Muslims claiming *franquitas*.⁴⁰ Finally, in February 1304, following further complaints by the order, the *justicia* of Aragon, Eximinius Petri de Salanova, was told to intervene in the Galip case; the veracity of their claims had been established by the court in 1295, the king said, and further commissions, such as that which the *baiulus generalis* had been ordered to carry out, were not to contradict it.⁴¹ Jucef Galip, it seemed, had beaten the *aljama*.

Looking over the various allegations and counter-allegations, it is impossible to tell who in fact was in the right: whether Jucef was trying to evade taxes for which he was liable, or whether the *aljama* was trying to extend its taxbase to cover its wealthiest citizens at any cost. However that may be, it is clear that the imposition of the Christian tax system generated tensions in the Muslim community, driving a wedge of self-interest between the *aljama* and its own elite, and encouraging Muslim and Christian individuals to act in close cooperation.⁴² Muslims, such as Jucef Galip, chose to identify themselves as associates of Christian organizations rather than as members of the Muslim community when they could benefit as a result. Individual Christian officers, such as the Temple Commander or the *merinus*, may have stood to gain personally depending on which side won the dispute, and thus they naturally became partisan.

This case was by no means unique. In the same period *mudéjares* of the Temple were involved in near-identical conflicts in other towns, including Ricla, Borja, and Daroca, and similar controversies plagued the order's Jewish and Christian subjects.⁴³ Nor was it only Temple vassals who were

³⁹ ACA, C., reg. 117, ff. 112v–113v (21 May 1300), cit. *ibid.*, pp. 203–204, doc. 548.

⁴⁰ ACA, C., reg. 126, f. 120r–v (13 January 1303), cit. *ibid.*, p. 274, doc. 748.

⁴¹ ACA, C., reg. 131, f. 50r (2 February 1304), cit. *ibid.*, p. 296, doc. 813.

⁴² In the era before the conquest, the social relations between wealthy Muslims and the bulk of society would have differed. No doubt the elites of the community strove to maintain their privileges at the cost of their fellows, but in the pre-conquest era this struggle would have taken on forms that reflected the character of Islamic society.

⁴³ For Ricla, see pp. 185, 187, and 377; for Borja, see below, p. 366. In 1289 the archdeacon and the Temple engaged in a tug of war over the taxation of Jewish associates in Monzón. Early the following year, the Order's Christian subjects in Cervera complained of being forced to pay

involved in such suits. In order to meet their fiscal obligations, *aljamas* did their best to undermine all claims of *franquitas*, just as individual Muslims were willing to take whatever action was necessary to maintain them. In the 1280s the *aljama* of Zaragoza had taken on the Muslims of the cathedral chapter, and in 1292 the noble Gabriel Dionisii complained that his Muslim vassals in Zaragoza were being aggrieved in the same way.⁴⁴ The Hospitaller vassals Abderramen and Abohalil Benhauar also came under pressure to pay taxes, but their case does not seem to have provoked a legal battle as bitter as Galip's. They had been bequeathed to the Hospital commandery of Zaragoza by the noblewoman Maylada, wife of Sancius Jordani de Peña, and are listed as *franci* in the levy of 1278. Nevertheless, the Hospital was forced repeatedly to obtain royal letters confirming their status and ordering officials to honor its privileges.⁴⁵

The *aljama's* tactic of aggressive litigation undoubtedly gained them victories by attrition. Although new evaders appeared in the decades to follow, of the twenty-one *franci* mentioned in the document of 1278, only Galip, the Bellidos, the Benhauars and "Luppus filium Jucefi" were still defending their rights in 1297. Luppus had been granted a limited *franquitas* as late as 1292, when his tax contribution was capped at twenty *solidi* per year. This privilege, which he shared with his mother Sofra (who enjoyed total *franquitas*), derived from the status of his deceased father, a craftsman specializing in embossed and painted leather ("magister de guadamacis") who had been granted tax immunity by Jaume I. The *aljama* began actively contesting the privilege only two years after it had been granted and continued to do so into the fourteenth century, despite royal complaints.⁴⁶ The other *franci* of 1278 are not listed in subsequent documents and so, we may presume, succumbed to the flood of litigation. For example, Salema Pox and his son Ali were granted *franquitas* in 1260;

municipal taxes against their privileges: ACA, C., reg. 80, f. 30v (11 August 1289); ACA, C., reg. 81, f. 13r (22 January 1290). In a parallel case, the Hospital Commander of Mallén unsuccessfully defended his Christian subjects who lived in Tarazona against that town's municipal government: ACA, C., reg. 80, f. 67v (18 October 1289).

⁴⁴ ACA, C., reg. 59, f. 124v (23 September 1282); ACA, C., reg. 94, f. 47v (24 February 1292). In Tarazona, the Monastery of Santa Christina found itself defending its vassals from the *aljama* in 1291 and 1292: ACA, C., reg. 86, ff. 185v–186r (1 September 1291); ACA, C., reg. 86, f. 193r (19 September 1291); ACA, C., reg. 87, f. 72v (17 May 1292).

⁴⁵ ACA, C., reg. 100, f. 384r (2 April 1295); ACA, C., reg. 102, f. 102r–v (10 December 1295); ACA, C., reg. 103, ff. 257v–258r (7 March 1296); ACA, C., reg. 131, f. 53r (12 February 1304), cit. BMA, p. 296, doc. 814.

⁴⁶ ACA, C., reg. 92, f. 1v (29 March 1292); ACA, C., reg. 92, f. 147r (28 June 1292); ACA, C., reg. 100, f. 88v (20 September 1294); ACA, C., reg. 103, f. 202r (6 February 1295); ACA, C., reg. 103, f. 202r (5 February 1296); ACA, C., reg. 108, f. 172v (4 July 1297); ACA, C., reg. 258, f. 136r–v (24 June 1304), cit. BMA, p. 316–317, doc. 875.

The Galips, Templar vassals in Zaragoza (1179–1390)

Ali appears in the list of 1278, but subsequently disappears from the records.⁴⁷ Likewise, Jaume I's tailor, Hamet Abinhali, was listed in 1271 and was last noted defending his *franquitas* in 1288.⁴⁸

Obviously, only those Muslims who could depend on the support of an organization (like the Galips), or who were wealthy and influential (like the Bellidos), could hold their own in drawn-out and expensive litigation. The Bellidos, in fact, were so firmly entrenched that they were able to resist even after their Christian sponsors abandoned them. After decades of fighting the *aljama*, the local Dominican prior informed the royal court in March 1300 that the family was indeed liable for taxes (which the friars themselves hoped to collect).⁴⁹ By 1307, however, the order was back on side defending the Bellidos, although the previous declaration had pushed the case in favour of the *aljama*, which was now taxing the family.⁵⁰ The Bellidos' intransigence led in 1309 to a complicated settlement mediated by Jaume II, whereby *franci* were required to contribute for *realencho* lands acquired after their original charters of *franquitas* had been issued, unless such lands had been acquired by exchanging non-*realencho* land. Properties bought from *franci* Muslims were also to be exempt, unless the *franquitas* of the vendor was derived from holding public office, and all property acquired by marriage was taxable. In order to lay the matter further to rest a one-hundred-year tax moratorium was approved for Abraham Bellido.⁵¹

But even such a measure could not put an end to the controversy: the last notices of the legal battle between the Galips, Benhauars, and Bellidos and the Muslim community of Zaragoza emerge in the last decade of the fourteenth century. In 4 January 1390 King Joan I (1387–1396) responded to a complaint by the *aljama* and ordered all of the Muslim inhabitants of Zaragoza to pay community taxes unless they could prove their descent from *franci* families. The claimants included Juce de Galli[p] and his sons, Calema de Galli[p], Audalla and Ffaraig de Galli[p], Abraham Bellito, and Farag de Abinauar.⁵² Finally, when Martí I (1396–1410) convened the *cortes* in Zaragoza in April 1398, the Hospitaller Commander of Amposta sought a confirmation of the Order's rights to *franquitas* regarding the property of the “de Gallip” and “de Binauar” families.⁵³ Obviously the

⁴⁷ ACA, C., reg. 11, f. 185r (8 December 1260).

⁴⁸ ACA, C., reg. 74, f. 68v (10 February 1288); see p. 195.

⁴⁹ ACA, C., reg. 115, f. 332r (28 March 1300), cit. BMA, p. 199, doc. 536.

⁵⁰ ACA, C., reg. 141, f. 65r (21 December 1307), cit. *ibid.*, p. 405, doc. 1134.

⁵¹ ACA, C., reg. 132, f. 221v (21 February 1309), cit. *ibid.*, p. 433, doc. 1221.

⁵² AHN, Cod. 659b, pp. 27–29 (4 January 1390).

⁵³ The petition is recorded in the minutes of the *cortes*: ACA, C., *Processos de Cort*, vol. 12[11] (1398), ff. 179v–189r. A reference to the request regarding Abderramen de Binauar is also recorded separately in a Hospitaller codex: AHN, Cod. 659b, p. 7–9.

Case study 1

dissolution of the Temple, the organisation on which the Galips' status as *franci* originated, had not affected the durability of their claim, and the Hospital had continued to battle the *aljama* on their behalf. When the struggle with the local authorities eventually ended is anyone's guess – it may have gone on until 1610, when Galibh's remaining descendants would finally have been expelled from Aragon.⁵⁴

⁵⁴ Grants of *franquitas* had a force and durability which occasionally outlasted the presence of the *mudéjares* in Aragon. A decision of the Real Audiencia in 23 October 1741 confirmed the *franquitas* of the owners of a certain field from *decimas*, based on a privilege which had granted the same to field to Muslim settlers under that condition in 1272! (AHN, Cod. 54b, pp. 370 and 372 [4 April 1272]).

Case study 2

FRANQUITAS AND FACTIONALISM IN
DAROCA: THE LUÇERA FAMILY VS. THE
ALJAMA (1267–1302)

The situation in Zaragoza was anything but unique, and in the town of Daroca the Temple and its Muslim subjects were also fighting for their rights to tax exemption – a conflict which was only one aspect of the complicated factional dynamic of the *aljama*. Here the battle centered on Faraig de Luçera, a Templar vassal whose *franquitas* had been under fire from the *aljama* as early as the reign of Jaume I, who had upheld the family's rights.¹ With the administrative discontinuity inherent in a change of sovereign, however, in 1279 the *aljama* successfully petitioned Pere II, who was apparently unaware of his father's precedent, for the right to collect taxes from *all* of its members.² The stage was set for a litigational battle.

More than in Zaragoza, here the *aljama* and the Christian officials clearly cooperated in their efforts to bring the Temple's Muslim vassals under their jurisdiction. Hence, in 1280 the Commander of Alfambra accused Michael Petri de Sancho Aznar, the local *baiulus Sarracenorum*, of levying taxes on the Order's Darocan subjects and denying them the right to Islamic justice. Pere II ordered his official to cease the persecution and return the goods which had been seized.³ The *aljama* had apparently decided to respond to what it perceived as a failure to contribute to its costs with a boycott of services, and the Christian official happily complied, given that he would probably have been entitled to a percentage of whatever taxes the family could be made liable for. Michael's determination to make the Luçera family pay reached a critical point when he allegedly assaulted one of its members, Aljafferi, after coming to collect (*extorquere*) taxes four months *after* the issue of the royal restraining order.⁴

But this *baiulus'* subsequent departure from office does not seem to have mitigated the adversarial atmosphere, for less than a year later the

¹ ACA, C., reg. 44, f. 235v (9 August 1284), ed. L. M. Jimeno Ortuño, "Notas históricas sobre la aljama sarracena de Daroca durante el último tercio del siglo XIII," in *Homenatge a la memòria del Prof. Dr. Emilio Sáez* (Barcelona: Universitat de Barcelona, 1989), p. 217, doc. 1.

² ACA, C., reg. 253, f. 36r (2 July 1279).

³ ACA, C., reg. 42, f. 232r (27 March 1280).

⁴ ACA, C., reg. 48, f. 87v (24 July 1280).

Case study 2

infant Alfons II was prompted to warn the new *baiulus*, Dalmacius de Villarasa (who was also *alcaydus*), against breaching the Luçera family's *franquitas*.⁵ When Garçius Garçesii de Naçur took over Dalmacius' post in 1284, the *aljama* was still pressing the Luçeras for contributions, and this official was ordered to defend their liberties, now that Pere II had been made aware of, and confirmed, his father's privilege.⁶ Christian and Muslim administration became even more closely linked in 1285 when Garçius was granted the right to appoint the *aljama's* *adelantati*, who up to then had been elected by the *aljama* members, a mechanism which had comprised an important counter-balance to Christian influence in Muslim affairs.⁷ Then, in the following year, the *infant* Pere granted the *moreria* to Petrus Eximini de Moneba as a lifetime *honor* in exchange for the provision of two armed horsemen.⁸ This privilege probably implied a *de facto* appointment as *baiulus Sarracenorum*, although Petrus is not explicitly tied to this post until 1291.⁹ By 1289, however, he had been granted the right to appoint the *alaminus*, which had been the privilege of the *aljama* since at least the time of Pere II.¹⁰ In 1291 the *aljama* was reminded of Petrus' rights to name *alaminus* and *adelantati*, indicating that they were resisting. Although appointees were supposed to be individuals "who would be suitable to the exercise of the said offices," their "suitability" would have been assessed according to Petrus' rather than the *aljama's* criteria.¹¹

Smart money, then, would have been betting heavily against the Luçeras when, in December of 1291, Petrus was appointed to look into the Temple's complaints regarding the mistreatment of the family. A case regarding a sum which the *aljama* owed Faraig de Luçera – undoubtedly the taxes which he had been forced to pay – had been heard in a less than impartial manner ("malitiose"), and it fell to the *baiulus* to supervise the appeal. Three *aljama* members, Fassan de Petro Garcia, Jucef filius don Faraig del Alamin, and Abdela filius Mahometi de Abdela, were to

⁵ ACA, C., reg. 60, f. 87r (21 April 1282).

⁶ ACA, C., reg. 44, f. 235v (9 August 1284); also above, n. 1. Garçius Garçesii was no stranger to issues of *franquitas* and *aljama* taxation, as he was probably the same individual who had been *zalmedina* of Zaragoza in the early 1280s (and perhaps through the 1290s as well). During his tenure in the former post he had been reprimanded once for infringing the Islamic jurisdiction of the *aljama* and had intervened in the Galip controversy: ACA, C., reg. 253, f. 50v (12 July 1279); for his role in the Galip case, see p. 333.

⁷ ACA, C., reg. 56, f. 87r (7 May 1285); Jaime I's privilege is noted below (n. 10).

⁸ ACA, C., reg. 63, f. 46v (14 February 1286). *Homicidia* (fines for murder) were retained by the royal power until 1287, when these too were granted to the noble: ACA, C., reg. 67, f. 144r (17 May 1287).

⁹ ACA, C., reg. 90, f. 199v (20 December 1291).

¹⁰ ACA, C., reg. 80, f. 45r (12 September 1289).

¹¹ "qui sint satisfaciendes ad dicta officia exercenda": ACA, C., reg. 83, f. 103r (19 January 1291).

The Luçera family vs. the aljama (1267–1302)

arbitrate; “Don” Faraig de Luçera was represented by his son. The panel, however, was hardly impartial: Jucef was the son of a former *alaminus*, and was later revealed to be a member of a dominant *aljama* clique.¹² Not surprisingly, the case went against the Temple–Luçera party.¹³ Further, although in March 1292 the order received a new confirmation of the family’s immunity from Jaume II, the *aljama* began again (“nouiter”) to aggrieve its Darocan subjects by May of the same year.¹⁴

Subsequently the *aljama* continued to lobby for an extension of its tax jurisdiction, and in July 1293 the *alaminus* and the *adelantati* were given licence to compel *franci* Muslims to pay taxes on their *realencho* property. The charter recording this privilege referred specifically to the grandchildren of Saleme “Dalosera” (de Luçera), who had received a privilege of *franquitas* from Jaume II’s predecessors.¹⁵ This concession came at a point when the *baiulus* Petrus had intensified his reign of fiscal terror. On a single day he was reprimanded in three separate royal letters for extorting monies from certain Muslims of the *aljama*, for aggrieving the community against the tenor of their privilege and “çuna” (including conducting unauthorized “inquisitions” and detentions), and for demanding the payment of new and non-customary taxes.¹⁶

However, as in the case of the Galips, persistence paid off for the *franci* of Daroca. The Luçeras not only won their case, but also launched a counter-claim for court costs, although Petrus was instructed not to order the *aljama* to pay Mahomet Luçera and his brothers for these costs unless such liability could be demonstrated by “*sunna* and custom” (“çunam et consuetudinem”).¹⁷ But the voice of royal justice must have seemed a distant comfort to the family, which had to deal with an ever more hostile *aljama* faction and *baiulus*. Only five months after their legal victory, two of Faraig’s sons, backed by the Commander of Alfambra, charged three Muslims of Daroca with assault. Among the accused were the *alaminus*, Ali Dalanhi, Jucef filiu[s] de Faraig Alaminis, and “Hali filiu[s] de Faratg de Motara.”¹⁸ At the same time, the king reprimanded the *baiulus* Petrus

¹² See p. 350, and below, n. 18. ¹³ ACA, C., reg. 90, f. 199v (cit. n. 9).

¹⁴ ACA, C., reg. 91, f. 68r (10 March 1292), ed. Jimeno, “Notas históricas sobre la aljama sarracena de Daroca,” p. 217, doc. 2.

¹⁵ ACA, C., reg. 98, f. 232v (15 July 1293).

¹⁶ ACA, C., reg. 98, f. 228r (15 July 1293); ACA, C., reg. 98, f. 228r (15 July 1293); ACA, C., reg. 98, f. 228r (15 July 1293).

¹⁷ ACA, C., reg. 88, f. 146v (5 February 1294).

¹⁸ ACA, C., reg. 100, f. 114v (29 September 1294), ed. Jimeno, “Notas históricas sobre la aljama sarracena de Daroca,” p. 218, doc. 4. Ali Dalanhi appears variously as “Hali,” “Ali,” “Dalhalny,” “Dalanhi,” or “Dalhani” according to the whim of the Latin scribes. Jucef filius Faraig Alaminis was a member of a secondary but powerful family associated with Mutarras. Through the end of the thirteenth century, del Alamin family members were involved in a series of cases of murder (both

Case study 2

and his accomplice, the *alaminus*, for conspiring to deny the plaintiffs access to legal counsel, in violation of their constituted rights.¹⁹

The *alamini* of Daroca were more closely aligned to local Christian officials than their own community, a fact which provoked popular dissatisfaction. This was particularly evident after 1291 when Petrus Eximini consolidated his position over the administration; office-holders prior to that did not yield complaints.²⁰ The trouble seems to have begun in that year, when Mahomet de Sauinyan passed judgment against the *aljama* and in favour of Petrus Juanyes de la Cueva in a civil case regarding some properties.²¹ Although this decision may well have been based on the merits of the case rather than his own political preoccupations, he was certainly beholden to Petrus Eximini, then *justicia*. As it was, he backed a good horse, considering that Petrus Juanyes later went on to be appointed *baiulus Sarracenorum* of the town.²² Evidently, however, the Muslim official felt vulnerable, and in 1292 he commended himself and his family personally to the *infant* Pere in order to secure a letter of protection, probably to avoid personal liability for official misbehavior.²³ Indeed, on the same day Jaume II had launched an inquest into abuses the community alleged Mahomet had committed during his term, including “injuries and acts of violence” (“*iniuriis et uiolenciis*”).²⁴ Mahomet’s recourse to the *infant* was clever, given that the prince would not be aware of the investigation which his father had just ordered. The investigation was entrusted to Ferrandus Martini, a local *jurisperitus*, and although the outcome is unknown, it seems to have finished Mahomet’s career. He was out of office by the following year, and unlike so many other Muslim officials, did not succeed in having a relative succeed him in the post.²⁵ The *aljama*

as perpetrators and victims), misappropriation, and forgery in collusion with various Muslim, Christian, and Jewish parties. See, for example, ACA, C., reg. 111, f. 243r (23 May 1298); ACA, C., CRD, Jaume II, ca. 13, no. 1701 (11 November 1301), cit. BMA, p. 251, doc. 686; ACA, C., reg. 202, f. 150r (24 June 1304), cit. *ibid.*, p. 317, doc. 872; and ACA, C., reg. 236, f. 186v (9 June 1306), cit. *ibid.*, pp. 368–9, doc. 1027. “Hali filiu[s] de Faratg de Motara,” or Ali de Mutarra, plays a leading role in the next case study.

¹⁹ ACA, C., reg. 100, f. 118r (30 September 1294).

²⁰ A certain Çayen, who is noted in 1279 as a former *alcaydus*, and served as *alaminus* in 1280 (see p. 347). Faraig, whose son, Faraig filius Faraig Alamini, figures in a number of the documents, must have served prior to 1291.

²¹ ACA, C., reg. 86, f. 177r (10 August 1291). ²² See below, p. 363.

²³ ACA, C., reg. 87, f. 81v (26 December 1292).

²⁴ ACA, C., reg. 94, f. 205r (26 December 1292).

²⁵ Incidentally, the *infant* Pere’s letter of protection (n. 23) indicates that Mahomet had only daughters; there was no son to take his post. A few years previous a Mahomet de Sauinyano appears as the *alaminus* of Calatayud, and although there is no direct link, it is possible that this is the same individual. During his tenure there he upheld Juçef Auenhalut’s rights (see p. 206) as a creditor against the claims of certain *aljama* members – another debt which Juçef had great difficulty collecting. ACA, C., reg. 124, f. 246r (19 July 1302), cit. BMA, p. 265, doc. 726; ACA, C., reg. 129, f. 64r (8 September 1303), cit. *ibid.*, p. 286, doc. 784.

The Luçera family vs. the aljama (1267–1302)

pursued Mahomet for many years, and in 1308 was still trying to recover money he had allegedly embezzled. He eventually left a 200-*solidi* deposit pending the outcome of the case, but once it was settled in his favor, the ex-*alaminus* was forced to sue the community to recover the sum.²⁶

Remarkably, the indictment against Mahomet reveals that his predecessor and coaccused was “Selim de Luçera.” That a Luçera had served as *alaminus* is surprising, given the hostility of the *aljama* to the family. He probably obtained the office when Petrus Eximini de Moneba, who would not have been familiar with local factions, took over the *baiulia* in 1286. This appointment, a coup for the family, would explain the lack of litigation in the following few years. Moreover, an alliance between Selim and Mahomet would account for both the latter’s failure to successfully prosecute the Luçeras and the *aljama*’s dissatisfaction with Mahomet as their leader. In fact, Selim was out of office by 1290, by which time the *aljama* had also sued him for alleged misappropriations. Martinus Petri de Osca had ordered the ex-official’s properties to be sold off in order to meet the resultant debts, but Selim appealed the case, which the king ordered forwarded to Martinus Petri de Artesona, the *justicia* of Aragon, for review.²⁷

On the other hand, Mahomet’s successor, Ali Dalanhi, had been a firm member of the anti-Luçera camp, as his involvement in attacks and administrative abuses directed at the family demonstrates. By the time of the inquest into Mahomet’s behavior, the violence, intrigues, and general breakdown of *aljama* administration had become manifest even to the distant royal court, and at the behest of the Temple the king ordered the *justicia* of Daroca, Petrus Eiximinus Darazo, to defend the Luçeras against the depredations of the *alaminus* and other *aljama* members. The *aljama* faction, it was recognized, had “embargoed, molested, and damaged, unwarrantedly and unjustly” Mahoma, Aljaffar, Hebraim, and Ali and Yahayel, sons of Faraig Luçera and vassals of the Temple.²⁸ Five days later the *justicia* was ordered to proceed “according to the *sunna* and their custom” against same three culprits of the previous year’s assault: Dalanhi, Jucef and Ali de Mutarra.²⁹

Once again, the king’s orders brought no action. In November 1294 the *baiulus* and *alaminus* were still maintaining their legal blockade, refusing the Luçeras access to legal counsel, and repeated orders to comply

²⁶ ACA, C., reg. 142, f. 23v (18 May 1308), cit. *ibid.*, p. 410, doc. 1147; ACA, C., reg. 142, f. 254v (5 November 1308), cit. *ibid.*, p. 421, doc. 1180.

²⁷ ACA, C., reg. 81, f. 156r (19 August 1290).

²⁸ “pignorant, molestant et dampnif[ic]ant indebite et iniuste”: ACA, C., reg. 100, f. 118v (2 October 1294), ed. Jimeno, “Notas históricas sobre la aljama sarracena de Daroca,” pp. 218–219, doc. 5.

²⁹ “secundum çunam et consuetudinem eorum”: ACA, C., reg. 100, f. 135v (7 October 1294), ed. *ibid.*, pp. 219–220, doc. 7.

Case study 2

were issued.³⁰ The assault case against Dalanhi and his cohorts was now referred to the town's *baiulus*, who (it was probably hoped) would act with some degree of impartiality.³¹ In the meantime the conspiracy had broadened. In 1292 Selim, the former *alaminus*, had been murdered in his house, allegedly at the hands of another leading family, the Abdellas.³² The defendants were found guilty but absolved the following year, no doubt on payment of an indemnity to the Crown.³³ By this point, the *aljama* had begun to tax the family again, and now vandals struck at the Luçeras' vineyards and other properties.³⁴ An investigation was mounted, but for some reason the *justicia* would not admit the testimony of the men entrusted with guarding the fields. For their part, the guardians seem to have cooked up an excuse not to testify, possibly having been bribed or pressured into silence. Therefore the king intervened ordering the *justicia* to subpoena them and force them to give evidence, as they had done when the vineyards of other Muslims had been damaged in the past.³⁵ But the *justicia* was obviously partial and, predictably, ruled in the *aljama's* favor.³⁶

Once again, however, the Luçeras persisted and once again royal justice came through. A judge of the king's court, the "doctor of laws" ("doctor legum") Petrus Xoto, was assigned to the appeal, overruled the *justicia's* decision, and ordered the *aljama* to pay thirty *solidi* to the injured parties. The king, now perhaps suspecting the *justicia's* position, ordered the latter to enforce the fine, failing any reasonable objection, and to take care "lest you admit frivolous excuses."³⁷ Within five days, however, the local officials were back in action, and the Temple launched yet another complaint that its *homines*, "both Christians and Muslims," were being taxed counter to their privileges.³⁸ At this very moment, the *aljama* launched its

³⁰ ACA, C., reg. 100, f. 118r (2 October 1294); ACA, C., reg. 100, f. 189r (11 November 1294).

³¹ ACA, C., reg. 100, f. 189r (11 November 1294). ³² ACA, C., reg. 87, f. 91r (28 June 1292).

³³ ACA, C., reg. 98, f. 232v (15 July 1293). For the Abdellas see the next case study. No less than five family members took part in the attack: Mamoha and Audella (sons of Abraham), Faraix (their paternal uncle), Abdella (son of Abraham) and Audella (son of Juçe), as well as "Faratx de Audella Montesino" (a possible relative). They were aided by the Desquierdo family (Sayen and Mahoma, sons of Juçe) and other Muslims. "Faratx Damini," one of the accused, may have been a member of the "Alamini" or "del Alamin" family: ACA, C., reg. 260, f. 240r (8 September 1293).

³⁴ ACA, C., reg. 94, 51v (16 March 1294), ed. Jimeno, "Notas históricas sobre la aljama sarracena de Daroca," p. 218, doc. 3.

³⁵ ACA, C., reg. 100, f. 204v (24 November 1294).

³⁶ ACA, C., reg. 100, f. 273r (28 December 1294).

³⁷ "cauentis ne exceptiones in hoc frivolas admitatis . . .": ACA, C., reg. 100, f. 204v (24 November 1294).

³⁸ "tam Christianos quam Sarracenos:" ACA, C., reg. 100, f. 220r (29 November 1294). This is the only mention I have encountered of Christian vassals of the Temple being aggrieved in this manner in Daroca at this time. The Commander may have suggested that Christians were also being abused in order to elicit a more determined response from the king.

The Luçera family vs. the aljama (1267–1302)

own appeal against the Luçeras' appeal, and this was brought before the royal magistrate "R." Royalano. The *aljama* must have won this case, for ten days later the Luçeras launched an appeal against the *aljama*'s appeal. This motion was initially rejected on the grounds that appeals launched more than three days after a decision had been made were not admissible. But upon investigation it was established that a margin of ten days was indeed permitted, and the matter was assigned to Ferrandus Martini to determine if there were grounds.³⁹ Just as the *aljama* of Zaragoza had done, the Muslim community of Daroca chose this moment to obtain a general confirmation of its privileges, no doubt to bolster its case.⁴⁰ Thus fortified, it began its attacks anew, and in June 1295 the Master of the Temple, listing a pedigree of privileges going back to Jaume I, demanded justice for the Luçeras and respect for their status, alleging that the *alaminus* was in contempt of the ruling which the *jurisperitus* had made in his party's favor. The king responded with an order to Ferrandus Martini to restore any goods which had been taken from the Luçeras and to resolve any outstanding legal issues.⁴¹

With this ruling things seemed to have quietened down for a few years until, in 1302, tensions flared again. In March of that year, the *baiulus* and *alaminus* were reminded that they were to respect the Luçeras' right to legal representation in the courts, and a few days before that letter went out, Jaume II had brought in a *jurisperitus* from Huesca to investigate complaints by the Temple Commander that a band of Muslims of the *aljama* of Daroca had entered the Luçera household and carried off a quantity of money and other goods.⁴² The fact that an out-of-town official was parachuted in to deal with the robbery indicates that the king had lost confidence in the impartiality of local Christian officials.

Like the Galip case, this controversy does not seem to have been resolved conclusively. By the close of the thirteenth century it had affected several generations of the family, having dragged on for more than twenty-five years due, to a great extent, to the mutual interests which encouraged Christian and Muslim officials to violate both the spirit and letter of the law. The *aljama* officials rationalized their complicity as defense of the Muslim community, which was undoubtedly subject to fiscal pressures partly as a result of tax evasion by some of its members.⁴³ For their part,

³⁹ ACA, C., reg. 100, f. 273r (28 December 1294).

⁴⁰ ACA, C., reg. 100, f. 274r (28 December 1294).

⁴¹ ACA, C., reg. 101, f. 150r-v (15 June 1295), ed. Jimeno, "Notas históricas sobre la aljama sarracena de Daroca," p. 220, doc. 8.

⁴² ACA, C., reg. 123, f. 27r (9 March 1302), cit. BMA, p. 257, doc. 701; ACA, C., reg. 123, f. 26v (6 March 1302), cit. Jimeno, "Notas históricas sobre la aljama sarracena de Daroca," p. 257, doc. 702.

⁴³ See p. 137.

Case study 2

the Luçeras chose to stress their status as Templar vassals over their Muslim identity when it came to taxation, although in judicial and religious contexts they preferred to be treated as Muslims. They were not the only Templar Muslims in Daroca, but the official faction probably focused on them because they were the wealthiest, and hence, the leading family. As it happened, the Temple stuck by its vassals and the latter stuck to their guns, although the cost in terms of both money and aggravation must have been immense. Thus case demonstrates that, confronted with fiscal pressures, *mudéjares* would not hesitate to abandon their responsibilities to their communities, readily colluding with Christians to that end. Strong as their sense of ethnic identity may have been, it did not dictate their behavior in situations where practical gain induced them to rationalize it into a subordinate position.

LITIGATION AND COMPETITION
WITHIN THE MUSLIM COMMUNITY:
THE ABDELLAS OF DAROCA (1280–1310)

The maintenance of a separate Islamic judicial system under Christian rule was a corollary of the contemporary concept of “nation” and law, which was anchored in a community’s religious beliefs.¹ But the Muslim legal system hardly survived unchanged by Christian domination: jurisdictions and offices changed, many of the formal and informal mechanisms which had operated to maintain the integrity of the system disappeared, and the separation of judicial and executive power seriously undermined its authority. The following study, revolving around what should have been a fairly straightforward case of “personal” law, illustrates several of these trends and further reveals the dynamic of interfamily competition in the *aljama* of Daroca.

Some time before May 1280 a dispute over some property arose between Iunez Abdella of Daroca and Ali de Mutarra and his sisters, in which the latter demanded the return of an unspecified property (*hereditas*) which the former possessed. Pere II ordered the *baiulus* of Daroca to oversee the inquiry, presumably to ensure that it would be assigned to the proper Islamic official, given that it dealt with an inter-Muslim dispute.² The *baiulus* duly appointed the matter to Çayen, the town’s *alaminus*, who judged the case some time in the following eleven months and found in Ali’s and his sisters’ favor.³

¹ The Romanized civil law of Christian society was anchored in the philosophical principles of the Christian religion and through the media of ritual and the swearing of oaths (like the law codes of modern Western secular societies). Of course, Christians of the Crown were also subject to canon law.

² ACA, C., reg. 48, f. 20v (19 May 1280).

³ The right to preside over Islamic justice in Daroca does not seem to have clearly belonged to any one official. Here the case is entrusted to the *alaminus*, while later cases “which ought to be resolved according to the *sunna*” were entrusted to the *alcaydus* “or someone serving in his place” (“quod terminari debent iuxta çuna,” “uel alium loco sui”: see p. 340, n. 9). Although Çayen had previously been the *alcaydus* (see p. 342, n. 20), at this time it seems to have been Garçius Garçesii de Naçur, a Christian, who was explicitly associated with the post in 1284: ACA, C., reg. 43, f. 112v (3 February 1284); see also above, p. 340, n. 6. The *alcaydus* would have either passed the case over to the *alaminus* or, possibly, judged it himself (given that the second party in the latter case was a Christian).

Case study 3

Not to be deterred, Iunez launched an appeal, which was assigned to the *alcaydus* of Zaragoza. The plaintiff, however, was determined for reasons unknown to take the judgment to an *alfaquinus* in Saviñán.⁴ Thus, taking advantage of bureaucratic disarray, Iunez filed a second appeal to this effect, neglecting to mention the process which had been assigned already.⁵ His prospects seemed good until the king asked the *alcaydus Sarracenorum* of Zaragoza, Foçan fili[us] de Pharach Auinlatron, to verify the merit of Iunez's appeal before it was approved.⁶ It was then that the ploy was discovered: the Zaragoza judge had been asked to evaluate an appeal which had already been assigned to him. The *alfaquinus* of Saviñán was ordered to respect the original assignation and not to intervene in the case.⁷ This attempt to steer the case to a "friendly" judge was well considered, as Foçan did indeed rule against Iunez, who launched a subsequent appeal, which the king assigned to Petrus Martini de Artesona, the *justicia* of Aragon.⁸ Iunez was also involved in other litigation, and in January of that year, the *justicia* of Daroca was ordered to commend an unspecified civil suit between Iunez and Roderic de Torracha to the *alcaydus* for resolution according to the *sunna*.⁹ This case seems to have gone against the litigant, but with his usual persistence Iunez launched an appeal, which was apparently successful, and the *justicia* of Aragon was ordered to restore the goods which had been impounded as a result of the suit.¹⁰ As this case shows, results in civil actions between Christians and Muslims were anything but foregone conclusions; in fact, Iunez's loss of the original suit may have been anything but fortuitous: the current *justicia* of Daroca was Roberto de la Torracha, possibly a relative of his opponent.¹¹

In the meantime, Iunez's conflict with his coreligionists seems to have broadened into a factional/familial struggle. Shortly after the episode of the false appeal, Selim de Luçera, Mahomat de Saayt del Pedro, and other unnamed Muslims of Daroca were taken to court over unspecified injuries inflicted on Iunez, his two brothers, Mahomet and Abraham, and their sons, in violation of the law and *sunna*.¹² There would be no

⁴ See p. 219. ⁵ ACA, C., reg. 49, f. 73r (16 April 1281).

⁶ ACA, C., reg. 49, f. 56r (28 March 1281), ed. Canellas, *Colección diplomática del concejo de Zaragoza*, II, p. 160, doc. 210. Foçen, incidentally, had inherited the post from his father Faraig, passing it on to his son, Obecar, in 1291: ACA, C., reg. 83, f. 108r (10 January 1291).

⁷ ACA, C., reg. 49, f. 73r (16 April 1281). ⁸ ACA, C., reg. 50, f. 152v (2 September 1281).

⁹ ACA, C., reg. 44, f. 220v (28 March 1281). ¹⁰ ACA, C., reg. 49, f. 85r (20 May 1281).

¹¹ S. Quílez Burillo, "Fiscalidad y autonomía municipal: enfrentamientos entre la villa de Daroca y la monarquía," *Aragón en la Edad Media* 3 (1980): 113.

¹² ACA, C., reg. 49, f. 85v (4 May 1281). Although scribal imprecision often rendered Selim de Luçera as "Salema" or "Selim de Leuchana" or "Leucana," the overlap of these names establishes concretely that they refer to a single person.

The Abdellas of Daroca (1280–1310)

reason to believe that this event was linked to Iunez's dispute with the Mutarras were it not for the fact that Pere II assigned the matter to the attention of an outside authority, the *alfaquinus* of Saviñán. Had it not been for concerns over local factionalism and official impartiality, the matter would have fallen under the jurisdiction of the *alaminus* of Daroca.

In the interim, yet another appeal had been launched in the original civil dispute. In August 1281 the king commanded Petrus Martini de Artesona, the *justicia* of Aragon, to call a hearing on the appeal submitted to the king by Iunez Abdella and Ali de Mutarra regarding the sentence passed by the *alcaydus* of Zaragoza.¹³ The plot thickened in September of the same year, when it came to the king's attention that the *alfaquinus* of Saviñán might be anything but a disinterested party in the case. Not only did he turn out to be originally from the Daroca area himself, but he was allegedly a well-known friend (perhaps a relative) of Iunez. The kingdom's *justicia* was ordered to investigate the *alfaquinus*' partiality and proceed in accord with "law and *sunna*" ("foro et çunna"), investigating the case himself if there was any indication that the official would not be objective.¹⁴ In a separate order issued the same day, the king also commanded the *justicia* to investigate an assault on Ali de Mutarra and three companions, including two Dalanhi family members.¹⁵ None of the victims of this incident was among those accused of the assault on the Abdella family, but the attack may well have been related to the broader factional struggle. Strangely, the individuals recorded as informing the king of the attack included the *alcaydus* of Zaragoza, various Muslims of Daroca and Zaragoza, and the *alfaquinus* of Saviñán. The latter's appearance on the list seems strange considering his alleged affiliations, but given that there was more than one *alfaquinus* in Saviñán at this time, this individual may not have been Iunez's ally. Moreover, the list of deponents in the case seems to indicate it was a struggle which took place while court was in session.

On the other hand, the suggestion that the *alfaquinus* of Saviñán was in league with the Abdellas may have been unfounded. Indeed, the *justicia* does not seem to have found any reason to doubt his impartiality, and his sentence in the Mutarra case was ordered to be executed in May of 1283, when Dalmacius de Villarasa, the *alcaydus* of Daroca, was commanded to proceed against the "goods and possessions" of the losing party.¹⁶ The document which records this order is especially interesting

¹³ ACA, C., reg. 50, f. 152v, cit. above, Case study 3, n. 6.

¹⁴ ACA, C., reg. 50, f. 168v (25 August 1281).

¹⁵ Ali's companions were Jucef de Luexi, Salema Dalanhi ("Çaleme de Dalanhi"), and Faraig Dalanhi (or "Dalundi"): ACA, C., reg. 50, f. 168v (25 August 1281).

¹⁶ "bonis siue possessionibus": ACA, C., reg. 61, f. 130r (19 May 1283).

Case study 3

because it discloses the breadth which the struggle had taken on in the *aljama*. The Mutarra faction is revealed to include Ali, Salema Dalanhi and his wife, Salema's sister-in-law Fatima de Botzach, Farach de Çelim filiu[s] de Brahem de Çelim, Ali Dalanhi and his wife Fatima, and his sister-in-law, as well as Çocra, the wife of Abraham de Çelim; Iunez Abdella, his wife Axa, and their unnamed *fideiussores* were on the other side.¹⁷

The *alfaquinus* had in fact found in Iunez's favor, as later documents, a fine against Ali for the sum of ten *morabetins* and an order to seize properties sufficient to raise this amount, reveal.¹⁸ Ali, however, launched a new appeal, which appears to have overturned or at least suspended the *alfaquinus* of Saviñán's decision. The latter's alleged partisanship may again have been made an issue, given that Ali's condemnation was said to have been made "by reason of contumacy, at the request of Iunez de Abdella, Muslim of Daroca." Thus, Ali demanded that the confiscated property be returned to him, but the *alcaydus* Garçius Garçesii refused. Whether this refusal was motivated by sympathy for Iunez or his own desire to retain his one-third commission is not clear. In any event, Ali complained to the king, producing supporting documentation ("publicum instrumentum"), and the *alcaydus* was ordered to desist from executing the now invalid judgment.¹⁹ This process took a little less than a year.

Not to be dissuaded, Iunez launched yet another counter-appeal. This can be deduced from an order issued to the *alcaydus* two months later, in June, and which directed the royal official to disregard the earlier order and to proceed in executing the judgment, retaining what he had confiscated and seizing additional goods for the balance of the monies owed.²⁰ But Ali lost no time in reacting. Taking advantage, perhaps, of the changeover of the town's *alcaydus* (Luppus Ferrench de Luna having succeeded Garçius Garçesii) and counting on attendant administrative disorganization, Ali went back to the royal court with the earlier, now-superseded order to return his goods which had been issued to the ex-*alcaydus*. His gambit worked and the new *alcaydus* was ordered to restore whatever had been confiscated.²¹ Not surprisingly, however, such a ruse failed in short order, and within ten days Alfons II wrote to the new *alcaydus* again, ordering him to disregard the previous letter.²²

¹⁷ See the document cited below in n. 19. Salema Dalanhi was apparently married to one of Ali de Mutarra's sisters.

¹⁸ Ten *morabetins* would be worth more than 100 *solidi*.

¹⁹ "ratione contumacie ad instanciam Iuneç de Abdella Sarraceni Daroce": ACA, C., reg. 62, f. 51r (3 April 1284).

²⁰ ACA, C., reg. 66, f. 92v (28 May 1286).

²¹ ACA, C., reg. 66, f. 126v (25 June 1286).

²² ACA, C., reg. 66, f. 146v (19 July 1286).

The Abdellas of Daroca (1280–1310)

At this point Ali seems to have resigned himself to the loss of the suit, and neither faction surfaces in the documentation again until 1290. In September of that year the sons of Habraym de Abdella brought a complaint to the royal court. It seems that Habraym had been granted a royal license to construct a tannery in the suburbs of Daroca in exchange for an annual tribute of seven *solidi*, but was being impeded by certain town-folk (“*aliqui uille Daroce*”) who claimed to possess an earlier privilege for the same right.²³ Alfons II, however, ordered the council and officials to ensure that Habraym’s privilege was respected, and the tannery was opened by 1294.²⁴ This case of economic protectionism may have been related to the long-standing Abdella–Mutarra feud. Given the wide base of the conflict, and the fact that Christian individuals and officials frequently became embroiled in inter-Muslim affairs, the Abdellas’ enemies or the Mutarras allies may have included Christians willing to take sides. Nor were the Abdellas the Mutarras’ only enemies. In November 1291, Jaime II summoned a group of Muslims of Alfamen to the royal presence in response to a complaint by Juneç de Çayt de Balemar that they had seized houses and an inn belonging to him there.²⁵ The case was assigned, apparently at Juneç’s request, to a judicial committee made up of Muslims from neighboring towns including the *alfaquinus* of Ricla, Jucef fili[us] Faraggii Alfauinii, the *çauaquem* of Cabañas, and Auceyt, an inhabitant of the same town.²⁶ But shortly thereafter the king revised the judicial assignation after the defendants accused the *çauaquem* and Auceyt of collusion, ordering it to be heard by the “alcadi” of Zaragoza instead.²⁷ Subsequent letters reveal that Muça, a kinsman of Ali de Mutarra, was a part-owner of the properties.²⁸

Further notices of Ali de Mutarra and the Abdellas surface in the chancery documents in the summer of 1292, by which time a major realignment of interests had taken place. A letter of the *infant* Pere (acting in the name of Alfons II) reported the murder of Selim de Luçera, and revealed also that one of the suspects in the assault on two Abdella family members in 1281 had been murdered. The suspects in this case,

²³ License had indeed been granted for three Christian tanneries.

²⁴ ACA, C., reg. 81, f. 156r (20 August 1290): T. del Campillo, *Documentos históricos de Daroca* (Zaragoza: Imprenta del Hospicio Provincial, 1915), pp. 67–68, doc. 107.

²⁵ ACA, C., reg. 90, f. 86v (15 October 1291). The group included several officials, including the town’s *alaminus* Jahic Dalfiguaruel, the *scriptor* Mahometus de Rauia (named in subsequent documents), Abraham de Ferrando, Yzmay de Trigo, Juceff Dampnazar, Jucef Dalhocho, Mahomet de Palembin, and the *alfaquinus* Jahiel de Lop Dalbieuesch. Jucef Dalhocho went on to represent the *concilium* of Alfamen in a dispute with neighboring villages over grazing rights in the next month (see p. 274).

²⁶ For Alfauinii, see pp. 157 and 219. ²⁷ ACA, C., reg. 90, f. 186r (4 December 1291).

²⁸ Also ACA, C., reg. 90, f. 186r (4 December 1291).

Case study 3

also accused of “certain other misdeeds,” included a slew of Abdella family members and allies including Arzon, Abraymel filio Faraig Dagreda, Hali Dalmari, and Ali Mutarra. Having managed to post bail of 1000 gold *morabetins*, they were ordered to be released from the custody of Ferrandus Martini, Paschalius Petri de Labadia, and Petrus Juanyes de la Cueva, the *baiulus Sarracenorum* of Daroca.²⁹ Neither the manner nor the motive of the homicide are mentioned, and it may have been linked to Selim’s alleged embezzlement of community funds.³⁰ But given that Salema was an old enemy of the Abdella family, an element of revenge may well have been present. Most interesting, however, is Ali de Mutarra’s presence among the accused. Apparently the rift between the Abdella family and the Mutarras had been healed, or, at least, circumstances of mutual interest had driven them together to a degree which would encouraged the solidarity necessary to cooperate in a violent, capital crime.

In fact, there are indications that the murder was symptomatic of wider tensions within the *aljama*. The same day that the defendants’ bail order came through, the king ordered Ferrandus Martini and Paschalius Petri to investigate charges by two of the accused, Arzon and Abdella, as well as another Abdella family member, Abdella filius Mahometi Abdella, that certain unnamed members of the *aljama* were responsible for a spate of violent crimes, including murder and theft.³¹ Whether they represented a family faction or the larger interests of the *aljama*, the three accusers were not acting alone; a subsequent document reveals that their allegations were backed up by “some Muslims of Daroca.”³² Further, the fact that the defendants, when they were remanded for the murder of Salema, were able to find *capeleuatores* for the astronomical sum which they were required to post, indicates that they enjoyed the support of a numerous or wealthy group within the town. As the murder trial got underway and the prosecution witnesses were heard, the murder suspects indicated that they would enter a plea of not guilty and Paschalius Petri was appointed as their counsel. Apparently they had found a friend in the *infante*, who agreed to pay for their defense, and two months later ordered the town’s two *jurisperiti* to send him the results of the inquiry into the allegations of widespread Muslim violence in the *aljama* which Arzon and Abdella had leveled. The results of the investigation are not disclosed, but the royal authority obviously considered the matter to be of some importance, given that the *infante* followed up the case after such a short interval,

²⁹ “quorumdam aliorum maleficiorum”: ACA, C., reg. 87, f. 91r (28 June 1292). For the accused Abdella family members, see p. 351, n. 25.

³⁰ See p. 343. ³¹ ACA, C., reg. 87, f. 91r (28 June 1292).

³² “aliqui Sarraceni Daroce”: ACA, C., reg. 87, f. 91r (28 June 1292).

The Abdellas of Daroca (1280–1310)

and ordered the Muslims implicated to be sent personally to the royal presence at Huesca in order to hear sentence passed.³³

The paper trail ends here and, unfortunately, the outcome of the trials remains in doubt, but three years later a suit between Iunez de Abdella, Ali de Mutarra (“de Motarra”), and Çalema Dalanhi (“Dalhalni”) versus Farach de Çelim and his associates regarding certain properties was brought to court. By this point, Ali had been reconciled with Iunez Abdella and faced off against his former ally de Çelim.³⁴ It was in this period of apparent concord among the leading families of the *aljama* that the Abdellas led attacks on the common enemy, the Luçeras. Unlike the case of the Templar vassals, whose *franquitas* was an issue which could not be settled by compromise, the differences which had divided the Mutarras and the Abdellas were not insurmountable. Both families were firmly within the ambit of power of the *aljama*, albeit informally, and the shifting allegiances of this local elite corresponded to changing circumstances; there is no evidence that they were rooted in clan identity or driven by a sense of vendetta which transcended practical dictates. Abdella filius Mahometi Abdella had sat on the dubious judicial panel which had ordered the seizure of the Luçeras’ property, and both an Abdella associate (Jucef filiu[s] Faraig Alamini) and a Mutarra had been implicated in the attacks on the Luçeras which was carried out by the *alaminus* Ali Dalanhi.³⁵ But Ali Mutarra’s relationship to the Dalanhi–Luçera struggle was ambivalent. In 1281 he had been attacked by Salema de Alanhi, perhaps as a consequence of his closeness to Çayen (who was then *alaminus* and therefore a rival to Ali Dalanhi’s ambitions), while on the other hand, the Mutarra and Dalanhi families (including Ali and Salema) were allied in the struggle against the Abdellas.³⁶ The redefinition of these family alignments seems to have been provoked by the departure from office of the *alcaydus* Mahomet de Sauinyan and the ascent of Ali Dalanhi as *alaminus* in 1291–1292. Dalanhi was linked to both the Abdellas and the Mutarras, which may have encouraged a reconciliation of the two parties. The corresponding unity of the *aljama* elite emboldened them to act against the ever more isolated Selim de Luçera, whose murderers included his former confederate Ali de Mutarra.

Although no more is heard of Iunez de Abdella, and Mahoma de Abdella died in 1300, this wealthy and well-connected family continued to play an important role in *aljama* politics in the first decade of the

³³ ACA, C., reg. 87, f. 101r (13 August 1292).

³⁴ ACA, C., reg. 101, f. 218v (15 July 1295). This suit was heard by the “alcadi” of Calatayud, doubtless because of the involvement of a Dalanhi, a relative of the *alaminus* of Daroca.

³⁵ See pp. 352, 348, and 349, respectively. ³⁶ See p. 349, n. 15 and p. 350, respectively.

Case study 3

fourteenth century; one of the latter's sons, Mahomet, became an official in the local administration, presumably the *alaminus*.³⁷ The family's tannery continued to function and Mahomet began to purchase hides on credit, with Ali de Mutarra providing financial security.³⁸ The *aljama*, however, had cause for registering serious complaints against him. In 1305, they alleged that, acting under the pretense of a royal order, he had been enslaving and selling married Muslim women who had been accused of adultery, without due process or trial.³⁹ Two years later, he had been removed from office and imprisoned ("captus detinebatur") as a consequence of his abuses of power.⁴⁰ As his financial situation declined, Mahomet began to evade his creditors, including a certain Christian from Valencia to whom he had promised twenty-two *librae* of that realm as payment for skins. Mahomet, his wife Çoffra, his brother Faraig, and Ali de Mutarra, who had provided security, were held liable, but the lieutenant of the *alaminus*, Zahan, although forced to rule in the plaintiff's favor, refused to collect the debt.⁴¹ Zahan's complicity is explained by the fact that he had apparently served as *locum tenens* during the Mahomet's tenure as *alaminus*, and was now holding the position because his former boss had been dismissed.

But things went from bad to worse; in 1308 Mahomet, Faraig and an accomplice, "Çahen" (undoubtedly Zahan), were brought to trial for "many and various crimes" ("multos et varios excessus") which they were said to have committed against the *aljama*. They were described as dishonest men ("homines male conversationis et vite inhoneste") and the bailiff-general of Aragon was ordered to punish them, if found guilty, in such a manner as to inspire "terror" ("terrorem") in other malefactors and restore peace to the community.⁴² Their case would not have been helped by the fact that they, along with other Abdellas, had participated in the ill-fated attack on the royal *portarius* Guillelmus de Massilia earlier that year, and in the subsequent jail-house mutiny.⁴³ The Abdella clan, it seems, was condemned to live with the ire of both its own community and the Christian powers. Thus, in 1308 Mahomet Adbella found himself in

³⁷ Mahoma de Abdella's death is revealed when two of his sons, Faraig and Mahomet, sued several Christians of the hamlet of Corral del Rey (near Daroca) over some properties which they had appropriated but which the deceased *mudéjar* had left them: ACA, C., reg. 117, f. 319v[219v] (25 July 1300), cit. BMA, p. 214, doc. 576. The fact that Mahoma had properties in the hamlets around Daroca indicates that his estate was probably fairly large.

³⁸ ACA, C., reg. 141, f. 96v (15 November 1307), cit. BMA, p. 402, doc. 1125.

³⁹ ACA, C., reg. 134, f. 206r (26 January 1305), cit. *ibid.*, p. 332, doc. 916.

⁴⁰ ACA, C., reg. 141, f. 23v (11 September 1307), cit. *ibid.*, p. 393, doc. 1096. It is worth noting that it was a Christian of Daroca, Eximinus Petri Egidii, who had posted security for Mahomet.

⁴¹ See the document cited in n. 39.

⁴² ACA, C., reg. 142, ff. 254v-255r (2 November 1308), cit. BMA, p. 420, doc. 1178.

⁴³ See p. 143.

The Abdellas of Daroca (1280–1310)

the courts again, this time in a civil suit with a fellow Muslim of Daroca. Soon after, in 1310, the family reached its nadir when “Mahometus filius Abrahe” Abdella fled Daroca and dared not return, fearing that he would be imprisoned by the *baiulus* of the realm, who had begun a judicial process against him in response to accusations from certain *aljama* members.⁴⁴ The family had been run out of town.

The cosy relationship between the *alaminus* and the town’s *justicia*, and their mutual interest in dominating the *aljama*, drove Christian officials to involve themselves in *mudéjar* affairs. Their intervention, however, was indirect; they did not dirty their hands, but used their administrative influence to aid their allies. Royal orders could be ignored and privileges abused. And although rival *mudéjar* factions may not have mirrored Christian camps, members of the two communities certainly were embroiled in each other’s affairs. In fact, Alfons II and Jaume II repeatedly reprimanded the town’s Christians and Muslims for mixing in each other’s intracomunal politics.⁴⁵ Thus, it would have been no coincidence that Mahomet de Sauinyan left his post precisely when Ferrandus Martini arrived on the administrative scene, or that his departure was followed soon after by that of his scandal-wracked master, Petrus Eximini de Moneba.⁴⁶ The arrival of his successor, Petrus Eximini Darazo, must have come as a breath of fresh air for the beleaguered *aljama*.⁴⁷ This Petrus retained his privileges over the *aljama* until his death in 1306, and his conduct in the Luçera affair indicated he was willing to work with the community.⁴⁸ In fact, the only complaints he provoked occurred when he attempted to establish “monopolies” over the *aljama*, demanding, for instance, that they bake their bread in his oven only. Jaume II ordered him to desist.⁴⁹

Unfortunately, the documentation provides only hints of the factional dynamics which the social and administrative life of the *aljama* generated. Obviously, certain Christians and Muslims shared common agendas, and these were especially evident in the case of the elites, whose interests as individuals coincided more with each other than with those of their own communities. The prospect of concrete, material gains accounted

⁴⁴ ACA, C., reg. 142, f. 252v (7 November 1308), cit. BMA, p. 421, doc. 1181; ACA, C., reg. 144, f. 236v–237r (28 May 1310), cit. *ibid.*, p. 452, doc. 1273. It is not clear whether this Mahomet is the same person as the disgraced *alaminus*. If he was in fact “the son of Abraham,” that would make him at best a cousin of the ex-official, but he may have described himself on occasion as “filius Abrahe” in reference to his grandfather. In any case, the king ordered the *baiulus* to ensure that due process was respected when the fugitive returned to face trial.

⁴⁵ Lourie, “Anatomy of Ambivalence,” p. 46.

⁴⁶ For his last official act, see ACA, C., reg. 98, f. 228r (15 July 1293).

⁴⁷ ACA, C., reg. 99, f. 213r (24 May 1294). ⁴⁸ See, e.g. above, p. 343.

⁴⁹ ACA, C., reg. 117, f. 319[219r] (13 July 1306), cit. BMA, p. 211, 569; for Petrus’ death see ACA, C., reg. 203, f. 163v (12 May 1306), cit. *ibid.*, p. 366, doc. 1019.

Case study 3

for the shifting allegiances, and the very fact that the spark which set off the Mutarra–Abdella controversy was a civil matter indicates that the families had probably enjoyed a positive relationship previously.⁵⁰ Linked as they were to the structure of *aljama* judicial and financial administration, *mudéjar* feuds reflected the colonial character of Muslim administration under Christian rule.⁵¹

⁵⁰ I do not mean to imply that all clan struggles are idealized, nor that relations between tribal groups are static and not shaped by material concerns, but the fact that a rivalry between a several individuals came to involve other members of their families is not sufficient evidence for one to conclude that this was a clan-based dispute.

⁵¹ The use of local elites to administer their own marginalized communities can be seen from the Imperial Roman administration of Palestine through to the Latin American, African, and Asian colonies of the United States and European powers in the modern era.

ADMINISTRATIVE CORRUPTION AND
ROYAL COMPLICITY: ABRAHIM
ABENGENTOR, ÇAUALQUEM OF HUESCA
(1260–1304)

Much as the agency of Christian officials may have encouraged an insalubrious administrative atmosphere in the *aljamas*, the abuse of Islamic law was not necessarily a result of such intervention, as there was no shortage of Muslim officials who were prepared to put their own interests above those of their constituents. The Islamic community of Huesca, for example, had the misfortune to be administered by such an individual throughout the late thirteenth century. The most noteworthy of its *çauaquemi*, Abraham Abengentor, hung on to office through more than thirty years of more or less continuous scandal, providing an excellent example of the degree to which Muslim officials were capable of adapting to Christian administrative practices, using them with enviable effectiveness to promote their personal ends.¹

In 1260 Abraham received his appointment from Jaume I, succeeding his father, Abdella, and his brother, Abdernele, in the offices of *scriptor*, *alaminus*, and *çauaquem*. The investiture, which gave him a virtual monopoly over the administration of the *aljama* of Huesca, was for life, and included jurisdiction over not only the town itself but also the surrounding area. Abraham was to enjoy income from the fees generated by his various offices and, in exchange, was to pay an annual fee of thirty “morabetíns alfonsíns.”² He could appoint deputies as he wished, and was not obliged to attend personally to the duties with which he was charged, making the commission resemble a tax-farming concession rather than a quasi-religious administrative post. The king’s choice of official had obviously been based on the family’s influence in the court and their good record for gathering taxes and maintaining the peace in the *aljama*.

¹ The case of Abraham Abengentor is examined more fully in B. A. Catlos, “Intereses comunes: la çauaquenia musulmana de Huesca y el poder real a finales del siglo XIII,” in *XVIII Congreso de la Historia de la Corona de Aragón. Actas*, 3 vols. (Barcelona: Universitat de Barcelona, 2003), II, pp. 65–70. See also Basáñez, *La aljama sarracena de Huesca en el siglo XIV*, pp. 17 and 25.

² ACA, C., reg. 11, f. 161r (8 April 1260). The document names the appointee as “Abraham filio Abdelle Auinconcol” but a later document confirms that this is the same individual. Cf. ACA, C., reg. 43, f. 34r (26 September 1284).

Case study 4

Whether or not he was pious or qualified as a Muslim jurist, which would have been his most important attributes from his constituents' points of view, would have been of little concern.

The early years of Abraham's tenure seem to have been fairly uneventful, perhaps a sign of his administrative abilities and his willingness to work for the benefit of his community. For example, in 1263 the *aljama* gained the right to calculate the contribution of each individual to certain taxes on the basis of his or her wealth.³ This was an important concession, which would have acted to defuse some of the tensions which typically developed in *mudéjar* communities. Abraham also negotiated with the Christian powers over the fate of the town's Islamic cemeteries in the 1270s.⁴ In 1278 he successfully defended his own rights as *scriptor* against the infringements of Bartholomeus Thomasii, the *baiulus* of Zaragoza, and the following year he obtained a royal reprimand addressed to the town's Christian officials, warning them not to interfere with customary Islamic jurisdiction.⁵

It was in that year that Abraham's problems with his constituents began, when the community decided to dispute the right to *franquitas* which he claimed as an official. The question of this tax status was put to the king, but the royal reply was non-committal, ordering that whatever had been custom up to that time should continue to be observed.⁶ Soon, however, more complaints began to surface. Just as the tax dispute came to light, an *aljama* member, "Mahammatt de Ahomarii[?]," lodged an appeal in the royal court against an astronomical fine of 1000 *morabetins* which the *caualquem* had sentenced him to pay. The town's *zalmedina* and *baiulus* were ordered to investigate.⁷ Then, in the months that followed, more Muslim townsfolk voiced dissatisfaction with their leader's conduct, claiming he was acting "unjustly" ("iniuste") and was unfit for office. In a curious impeachment bid, an anti-Abraham faction offered to raise the annual dues by twenty *morabetins* if Abengentor were replaced. The matter was referred by Pere II to Costanza, the queen consort, who held the *morería* of Huesca as a *tenencia* at that time, and the queen, who found the offer appealing, substituted Mahomet de Aroz and Aljaffar del Royo for the unfortunate Abraham.⁸ These two, who apparently held the office as a joint appointment, paid fifty *morabetins* per year for their privilege.

³ ACA, C., reg. 12, f. 104r (30 August 1263).

⁴ ACA, C., reg. 20, f. 325v (13 March 1276); ACA, C., reg. 19, f. 24r (8 July 1273); ACA, C., reg. 19, f. 96r (3 February 1274). Abraham is not mentioned by name in the documents, but in view of his official status, his role in such negotiations can be assumed.

⁵ ACA, C., reg. 41, f. 16r (27 November 1278). For Bartholomeus Thomasii, see pp. 373–376; ACA, C., reg. 41, f. 59r (26 April 1279).

⁶ ACA, C., reg. 41, f. 101r (10 July 1279).

⁷ ACA, C., reg. 41, f. 101v (10 July 1279).

⁸ ACA, C., reg. 42, f. 238v (1 April 1280).

Abrahim Abengentor, çauaquem of Huesca (1260–1304)

Abengentor's hiatus, however, was brief; after the *moreña* reverted to Pere II, the latter ordered the ex-official to be restored to all of his offices, with the exclusive right to their jurisdictions. Needless to say, Abraham was now required to pay the new rate of tribute.⁹ The motive behind the king's decision is unclear, but it seems that either Abraham enjoyed some special access to the royal ear or that the earlier complaints of his conduct had been forgotten. He may have obtained his restitution on the basis of his old privileges, or the king may have been dissatisfied with the queen's candidates either because they were not performing well or for the simple reason that he preferred to have his own appointees in office. In any event, once back in control, Abraham seems to have been more compliant with the royal line and less eager or able to protect his jurisdiction against Christian encroachment. For example, in 1282, the local *zalmedina* was ordered to carry out a sentence dictated by an episcopal official in a case between the "monaster[ium] Sancti Petri" and Saloman Meronus, despite his own objections that the case should go to the *çauaquem*. Although the king was breaching a privilege which he himself had confirmed, namely that Huescan *mudéjares* were to swear oaths only in the presence of their *çauaquem*, Abraham himself did not venture to complain.¹⁰ Subsequent letters confirm that Abengentor's position had been weakened: by 1286 the tribute had been boosted to fifty-two *morabetins* per year, and the appointment was now subject to periodic renewal.¹¹

Then, two months after this confirmation a new rift opened up between the official and his community, again involving a judicial decision. The details are not provided, but one of the parties in a marital dispute, a woman named Rochea, had appealed a decision of the *çauaquem*, and this had been heard in turn by the town's *alcadius Sarracenorum*.¹² This unique reference to an *alcadius Sarracenorum* in Huesca is puzzling. Other documents confirm that it was the *çauaquem* who acted as judge in the *aljama*, so it seems that this was a reference to the town's *alcaydus*, a Christian officer, acting in the capacity of an Islamic judge (*al-qāḍī*).¹³ As happened in so many civil cases between Muslims, appeal followed on appeal. After Rochea complained that she would not be able to get a fair hearing under the jurisdiction of the *çauaquem* in Huesca, Alfons II ordered Momal, the *alfaquinus* of nearby Velilla, to resolve the

⁹ ACA, C., reg. 43, f. 34r (26 September 1284).

¹⁰ ACA, C., reg. 59, f. 51v (28 July 1282). The monastery "Sancti Petri" is probably the church of "San Pedro el Viejo."

¹¹ ACA, C., reg. 64, f. 65r (11 May 1286). Abraham is referred to here by his patronymic, "Abrahim Abdelle."

¹² ACA, C., reg. 66, f. 98r (5 June 1286).

¹³ See, for example, ACA, C., reg. 98, f. 236v (18 July 1293).

Case study 4

case according to Muslim law (“secundum *açunam*”).¹⁴ Rochea’s concerns seem to have been well grounded, given that the king also ordered the *superiunctarius* of Huesca to compel Abengentor to pay a fine of 300 *morabetins* for refusing to release the plaintiff to the *alfaquinus*’ jurisdiction. Neither this order nor the *çauaquem*’s promise had the desired effect, however, and just over a month later the king ordered Abengentor pay the 300 *morabetins* as punishment for contempt and his failure to respond to the *alfaquinus*’ summons.¹⁵

Three years later another group of Muslim townsmen found issue with their *çauaquem* and his official conduct, and certain charges which the representatives Mahomet Datro and Muça de Dama had brought against him on behalf of the *aljama* were referred to Petrus Martini de Artesona for judgment.¹⁶ Abraham responded with counter-charges, complaining that “some Muslims had attempted to aggrieve him unjustly and without cause in violation of the *sunna* of the Muslims.” At issue were the complaints of the *aljama*, which Abraham considered to be libellous. This time the *merinus* and *zalmedina* were ordered to commend the case to the *alcaldi Sarracenorum* of Lleida who, like the *alfaquinus* of Velilla, was a judge who might be depended on for impartiality because of his geographic separation from the events under examination. In the meanwhile, in order to preserve the authoritative hierarchy, local officials were to see that Abraham was not “troubled or accused by anyone undeservedly and against the *sunna* of any offence which he had committed in office or had been criminally accused of.”¹⁷ Given that he stayed in office, Abraham must have won the case, whether on its merits or because the Islamic judge in Lleida was uncomfortable with ruling against a fellow official in such circumstances.

Victory, however, was relatively short-lived, and within three years Muça de Domarii (possibly related to the individual who had complained in 1289) lodged formal complaints against Abraham before the king. He requested a hearing, alleging that he had blatantly clear evidence to establish that the *çauaquem* was unfit for office and had handed down “suspect” judgments. In response Alfons contacted a local Muslim, Aljaffar filii[us] Mahometi Dalhabar, ordering him to hear out Muça, and investing him with the authority to judge the case “according to the *sunna*” (“secundum *çunam*”).¹⁸ In the event that the allegations were true, he was to

¹⁴ ACA, C., reg. 66, f. 227r (25 October 1286).

¹⁵ ACA, C., reg. 70, f. 34v (1 December 1286).

¹⁶ ACA, C., reg. 81, f. 53r (16 March 1289).

¹⁷ “aliqui Sarraceni indebite et iniuste intendunt agrauare [eum] contra *açunnam* Sarracenorum”; “ipsum ab aliquibus contra *açunna* indebite molestari nisi acuseret de delicto quod comiserit in officio suo uel criminaliter fuerit accusatus”: ACA, C., reg. 81, f. 67r (23 March 1289).

¹⁸ ACA, C., reg. 94, f. 184r (16 December 1292). Muça’s surname appears as alternatively as “Domani,” “Domani,” and “Domarii” in various scribal renderings.

readjudicate the civil cases which Muça had brought before the *çauaquem*, and if they were not verified, he was to uphold the original rulings and send word to the king. The fact that Aljaffar did not hold any formal office, did not impede the king from authorizing him to hear the case. In fact, this was not the first time that a substitute judge had been called for Abengentor. Earlier that year, in response to the outright refusal of some members of the *aljama* to recognise Abraham's authority, the *infant* Pere appointed Ali Adahni as a special assistant or co-judge.¹⁹ The situation was obviously delicate; the royal court could not dispense with the rightfully invested judicial authority (Abraham), but needed to defuse a situation which was edging towards open rebellion.

The outcome of Aljaffar's judgment is not recorded, but whatever decision was made, tensions between Abraham and the *aljama* continued to rise. In July 1293 a local *jurisperitus*, Arnaldus Garcie Dalaçano, was ordered to call a hearing to resolve further complaints against the *çauaquem*. The process now had the backing of the majority of the town's Muslims ("aliama Sarracenorum Osce uel maiorem partem eorum") and had Abengentor's dismissal as its stated aim ("accusatione et priuatione dicti Abraham ab officio").²⁰ But, like the previous inquiry, this hearing seems to have become bogged down. After two months, the king wrote to Arnaldus in the firmest tones, ordering him to convoke the trial or face the personal wrath of the king. The king believed that the *aljama* and town administrators were being intimidated into inaction by a noble party who had an interest in maintaining Abengentor's position ("aliquorum magnatorum precibus uel terrore iterato"), and he admonished the *jurisperitus* to act and to ignore the "command or requests of any noble or potentate" ("non obstantibus alicuius nobile uel potentis precibus uel mandato").²¹ Jaume, however, eventually gave up on Arnaldus, and in September of 1293 entrusted the case to Ali Cidahay, a Muslim without specified office. Despite the terse wording of the order, Abraham's alleged depredations are revealed to include murder, and Manteuarius de Suesa, the town's *subbaiulus*, was said to be in league with the him. The trial of the *subbaiulus*, a Christian royal official, was also committed to Ali.²² The end was nigh for Abengentor.

Without waiting for judgment to be rendered Jaume II next commanded Ennegus Luppi de Jassa, the *baiulus in Aragonia generalis*, to depose Abraham by force. The tone of the royal order is quite direct and seems to reflect an annoyed impatience, while the wording implies that Muça de Domarii had become the representative of a substantial

¹⁹ ACA, C., reg. 87, f. 107r (2 September 1292).

²⁰ ACA, C., reg. 98, f. 215v (9 July 1293).

²¹ ACA, C., reg. 98, f. 255r (7 August 1293).

²² ACA, C., reg. 96, f. 15r (12 September 1293).

Case study 4

group of malcontents within the community – the effective leader of a coup from the bottom. Indeed, a sizeable group from the *aljama* had journeyed to Barcelona to make a direct appeal to the sovereign. They complained that Abraham had been installed under false pretenses and that his oppression (“oppression”) had impoverished the *aljama* in terms of both its wealth and its power (“*facultatibus*”). The crisis had reached a point where Abraham’s value to the king as an administrator was outweighed by the potential for chaos and disruption which resulted from his service.²³ Thus, his immediate suspension was ordered and the *baiulus* was instructed to seek out another member of the *aljama* “better suited and more useful and sufficient to hold and exercise the office of *çauaquem*” to replace him.²⁴

In November Jaume wrote again to the *infant* Pere, who had been granted the *aljama* by his mother Costanza, advising him that since the bailiff-general had found no one (“*nemo*”) in the *aljama* suitable to occupy the post, Aljaffar fili[us] Mahometi Albahar should be installed.²⁵ Aljaffar had, in fact, served in the post under the queen, and was a member of a long-established Huescan family.²⁶ Thus, five months later, on the *infant* Pere’s orders, Aljaffar was formally appointed as *çauaquem*, *alaminus*, and *scriptor* for the town of Huesca and the area stretching from the Gállego to the Alcanadre, in exchange for a yearly tribute of fifty-four “*morabitini alfonsini auri*.”²⁷ Abengentor, however, was not so easy to get rid of, and a week after Aljaffar’s appointment had been approved, Jaume II wrote to the prince reminding him that the king had ordered him to install the new appointee, indicating that, despite all orders, and perhaps with the collusion of the *infante*, Abraham was still hanging on.²⁸ The matter of the *aljama*’s accusations against Abengentor was still up in the air, and the *infante*, allegedly concerned over issues of partiality should the new *çauaquem* Aljaffar be appointed as judge (“by reason of the dissension or discord which has long been between them regarding the office of *çauaquem*”), appointed someone he believed would be an

²³ The original order is found in ACA, C., reg. 96, ff. 76v–77r (22 October 1293); an additional copy of the letter is on a loose leaf between ff. 76 and 77.

²⁴ “*magis ydoneum utilem et sufficientem ad tenendum et exercendum officium çauaquimatus*”: from a reissue of the order dated 20 November 1293 (ACA, C., reg. 260, f. 265v).

²⁵ ACA, C., reg. 260, f. 265v (20 November 1293).

²⁶ The Albahar/el Royo family can be traced back at least to 1232, when Jucef fili[us] de Abolcarum del Royo rented two fields from the monk Bernard and Poncius, the prior of the Church of San Pedro “el Viejo” of Huesca, and perhaps to Mafomad Roio, who became an *exaricus* of the Monastery of Casbas when that house was founded in 1175. See UZ, CISPV, ff. 61v–62r (November 1232); A. Ubieto Arteta, *Documentos de Casbas* (Valencia: Anubar, 1966), pp. 13–14, doc. 5.

²⁷ ACA, C., reg. 88, f. 187v (22 March 1294).

²⁸ ACA, C., reg. 99, f. 27r (15 March 1294).

Abrahim Abengentor, çauaquem of Huesca (1260–1304)

impartial authority.²⁹ Unfortunately for Abengentor, the *infant*, who knew Aljaffar by his other cognomen “el Royo,” appointed the new *çauaquem*’s relative, Abrahim Albahar, to the case.³⁰ It must have been with some smug irony that Abrahim read the king’s warning not to let Aljaffar interfere in the hearing.³¹

As the thirteenth century drew to a close, life in the *aljama* seems to have settled down. Whatever decision had been made regarding the culpability of the former *çauaquem* was settled either internally or without attracting the further attention of the king or the *infant*. Normality returned, and as *çauaquem* Aljaffar does not seem to have been a controversial figure; his only recorded acts are two separate complaints which he lodged against Christian authorities for interfering in his jurisdiction. In 1294, at the behest of the *çauaquem* and *aljama*, the king wrote to Ennegus Luppi de Jassa, the *baiulus* of Huesca, informing him that his lieutenant in the *aljama* was trespassing on the Muslim community’s rights and privileges, interfering in their judicial processes and aggrieving them “against their *sunna*” (“contra axunam suam”).³² The following year, Aljaffar defended his jurisdiction against the *superiunctarius*, Petrus de Monte Acuto, who had usurped his right to judge a civil case between a group of Muslims of Blecua and Jessias, a Jew of Huesca, to whom the former owed money.³³ The king was obviously satisfied, for in 1297, when control of the *aljama* passed back to Jaume II, the king confirmed Aljaffar in the three offices. The tribute was set at fifty-four *morabetins* per year, and the posts were granted at the king’s pleasure (“dum nobis placerit”), rather than *ad vitam*, probably as a brake against abuses.³⁴

As for the disgraced *çauaquem*, Abrahim died some time before June 1304, but even in death evoked bitterness in the *aljama*. Thus, his son Muça was driven to complain to Jaume II after the town’s *zalmedina* took advantage of his absence on a journey to Tudela to confiscate properties which belonged to Muça and his sister. This was, in fact, the second complaint that Muça had made to the king in this regard. On the previous occasion the king had ordered the *zalmedina* to return the property,

²⁹ “ratione dassensionis [sic] seu discordie que diu fuit inter eos ratione officii çauaquenatus”: ACA, C., reg. 88, f. 201r (17 April 1294).

³⁰ ACA, C., reg. 88, f. 188r (22 March 1294); ACA, C., reg. 88, f. 201r (17 April 1294).

³¹ Curiously, a note of the same date refers to Hali Ceidaniz (probably, Ali Cidahay) as *çauaquem* of Huesca, and orders the latter to resolve a matter of wounding between two of the town’s Muslims (see doc. cit. n. 29). Either there were two *çauaquemi* serving concurrently, or Ali had been appointed as a temporary deputy until the Albahar–Abengentor matter was settled. One may recall the apparent coexistence of two *çauaquemi* when the *morería* was under the queen’s control in the 1280s.

³² ACA, C., reg. 89, f. 123r (10 August 1295). ³³ ACA, C., reg. 89, f. 167r (19 March 1296).

³⁴ ACA, C., reg. 195, ff. 66v–67r (10 September 1297), ed. Basáñez, *La aljama sarracena de Huesca en el siglo XIV*, pp. 133–134, doc. 5.

but the latter had refused to do so – according to Muça – due to the hatred which the *aljama* felt towards his deceased father. It is doubtful, however, that Abraham’s heirs received satisfaction, given that the king assigned the case to the present *çauaquem*, Aljaffar, the dead official’s bitter rival.³⁵ But Abraham’s dismissal and death did not bring an end to the *aljama*’s administrative problems. In 1300 Muça de Domarii, who had agitated against Abraham, was the object of a complaint regarding a prejudicial judgment which he made in a property dispute while serving as an assistant to Aljaffar – a relationship which may hint at the existence of a conspiracy against Avengentor.³⁶ By 1307 Aljaffar Albahar had been replaced by Çalema de Rey, who held the office until 1328 amid a series of complaints, suspicious incidents, and alleged abuses of the same type that had typified Abraham’s tenure.³⁷

A review of the long career of Abraham Abengentor raises certain questions regarding the administrative situation of the *aljama* of Huesca in the late thirteenth century. As happened in other *aljamas*, the Christian conquest and the restructuring of Islamic administration favored a concentration of administrative offices in the hands of a single individual and the essential conversion of these offices into hereditary benefices.³⁸ This was not the result of deliberate royal policy; *aljama* officials were well positioned to ensure the succession of their children, because of the influence which they had in royal and local official circles. The most curious aspect of the Abengentor case is that in the forty years of Abraham’s tenure, there was apparently no controversy until 1279, nineteen years into his rule. By the time he was deposed, the accusations leveled at him suggest that the *aljama* had lived through a reign of terror, in which Abengentor had

³⁵ ACA, C., reg. 123, f. 238r (2 July 1304), cit. BAM, p. 316, doc. 874.

³⁶ ACA, C., reg. 116, f. 58r (29 August 1300), cit. *ibid.*, p. 222, doc. 598.

³⁷ Allegations against Çalema included corruption, abuse of process, and infringement of the jurisdiction of the *adelantati*: CRD: Jaume II, ca. 31, no. 3853 (10 April 1310), cit. *ibid.*, p. 448, doc. 1263; ACA, C., reg. 289, ff. 150bisv–151r (4 August 1310), cit. *ibid.*, p. 454, doc. 1281; ACA, C., reg. 289, f. 121r (25 June 1309), cit. *ibid.*, p. 441, doc. 1242. He was deposed more than once, and was replaced on one occasion, in 1319, by an Albahar, Abraham: ACA, C., reg. 232, f. 12v (25 December 1310), cit. *ibid.*, pp. 461–462, doc. 1302; see also Basáñez, *La aljama sarracena de Huesca en el siglo XIV*, pp. 17–19. The de Reys had been a powerful family in Huesca for many generations, and had claimed *franquitas* since the time of Jaume I. They can be traced back as far as 1243, when Juçef fili[us] de Çalema Rey bought a shop in Huesca from the church of San Pedro: UZ, CISPV, f. 135r (6 March 1243).

³⁸ A document which records the appointment of Çalema filius de Abdella de Azehunt as *alaminus* of the Muslims of Huesca represents a puzzling anomaly. The grant was made in 1275 and was valid for life in exchange for an annual fee of ten *morabetins*. Çalema never materializes again, whereas Abraham is subsequently (and previously) referred to as *alaminus*. Either Çalema had been appointed as a second *alaminus* or his tenure was brief and exceptional. “Azehunt” may have been a cognomen, and Çalema an Abengentor family member, but no document confirms this. ACA, C., reg. 20, f. 226v (30 March 1275).

Abrahim Abengentor, çauaquem of Huesca (1260–1304)

ruled and abused his constituents with the collusion of local Christian parties. The charges may have been fabricated or exaggerated by enemies in order to depose the *çauaquem*, but the tenacity with which they were pursued and the number of parties involved, coupled with the conduct of Abraham himself, leave little doubt that he had committed abuses.

Most likely, Abraham was able to keep a tight enough reign on his community that complaints either did not reach the royal court, or were ignored or defused when they did. The chancery registers record outgoing mail, so one cannot be sure that earlier unacknowledged grievances had not arrived. The late thirteenth century was a time of simmering crises for the count-kings; they faced the *guerra Sarracenorum*, the *Uniones*, French invasion, war with Castile, the “business of Sicily,” and a generally anarchic domestic situation. In these circumstances, their reluctance to intervene in the internal workings of an *aljama* which was functioning adequately is understandable. Muslim Huesca was a source of both direct and indirect revenue and in the 1280s produced weapons and soldiers, and through the thirty years of Abraham’s tenure the taxes were always paid.³⁹ When the *aljama* received its first remission for poverty in 1291, this may have been symptomatic of the financial crisis which the *aljama* alleged was the result of Abraham’s mismanagement; a subsequent request claimed that the community had been rendered insolvent.⁴⁰ Coupled with the growing threat to civil order, it may have helped the Christian powers resolve to replace him, bringing an end to a half-century of Abengentor domination.⁴¹

³⁹ As a source of revenue, the *aljama* paid monies directly to the Crown and its various incomes were at the king’s disposal to grant as benefices. See ACA, C., reg. 45, ff. 44r–45r (15 April 1279); ACA, C., reg. 46, f. 5r (25 February 1279); ACA, C., reg. 50, f. 220r (12 January 1282); ACA, C., reg. 58, f. 88r (21 March 1285); ACA, C., reg. 67, f. 95r (26 October 1286); ACA, C., reg. 67, f. 144r (17 May 1287); ACA, C., reg. 71, f. 52v (29 May 1287); ACA, C., reg. 106, f. 184v (10 January 1298). The community was also a major producer of crossbow bolts and contributed both troops and monetary “redemptions” to the royal military forces: see, for example ACA, C., reg. 22, f. 90r (14 June 1278); ACA, C., reg. 43, f. 14v (12 August 1284).

⁴⁰ ACA, C., reg. 85, f. 188v (7 July 1291).

⁴¹ Abraham ruled from 1260 and succeeded his brother and father, who cannot have taken up his tenure before 1232, given that a witness list of that year includes a “Mahemat Çauaquem”: UZ, CISPv, ff. 61v–62r (November 1232). Abraham himself ruled for thirty-two years.

OVERLAPPING AGENDAS: THE CAREER
OF MAHOMET, *ALAMINUS* OF BORJA
(1276–1302)

The consolidation of administrative offices and the formation of micro-dynasties within *aljamas* did not always have results as destructive and dramatic as the experience of Huesca under Abrahim Abengentor. In other cases, the role of Muslim officials was more ambiguous, and some worked quite effectively to protect the rights of the community and its members, particularly when its agenda coincided with their own. The career of Borja's *alfaquinus* of the last quarter of the thirteenth century fits this model well and makes a fitting counterpoint to the "bad" official of the previous case study.

Mahomet filius Alfaquini Ismahel de Porta was appointed to the posts which his father had held in the last month of Jaume I's reign, becoming the *alfaquinus*, *alaminus*, *scriptor*, and *sabasala* of the Muslims of Borja.¹ As an *aljama* official Mahomet was entitled to tax *franquitas*, which was also extended to the members of his immediate family. Naturally, this generated opposition on the part of the community, which endeavored to bring the *alfaquinus* into the tax-paying population. Thus, in 1277 the *aljama* (presumably represented by its *adelantati*) succeeded in obtaining an order from Pere II to the effect that all of the town's Muslims should contribute to royal taxes; "office-holders" ("tenentes officia"), which could only have meant Mahomet, were specifically included.² Thereafter the issue lay dormant for more than fifteen years until 1293, when the *aljama* complained again, provoking Jaume II to order the town's *baiulus Sarracenorum* to see that the *alfaquinus*, the *exarici* (doubtless the Templar

¹ ACA, C., reg. 40, f. 16r (12 September 1277). A tax-roll indicates that Mahomet "filius alfaquini" was not yet serving as either *alfaquinus* or *sabasala* in June 1276: ACA, C., reg. 33, ff. 100r–101v (14 June 1276). However, Pere II's charter (cited below) indicates that he had been appointed by Jaume I, which therefore must have happened in the last month of the king's reign – he abdicated on 21 July. See A. Rovira i Virgili, *Història de Catalunya*, 7 vols. (Barcelona: Pàtria, 1922–1934), iv, p. 639. No direct reference to Mahomet's father survives, and it is unclear whether or not he was his immediate successor, particularly given that Muçè filius de Maruha had been appointed *alaminus* in 1274 (see p. 286).

² ACA, C., reg. 40, f. 27v (11 November 1277).

The career of Mahomet, alaminus of Borja (1276–1302)

vassals), and other *franci* contributed taxes for their *realencho* holdings.³ To counter-balance such orders and generally protect his position, Mahomet was careful to obtain full confirmations of his appointments and rights whenever a new ruler came to the throne, and Pere II, Alfons II, and Jaume II each in turn confirmed the original commission.⁴ A parchment copy of Jaume II's confirmation, labeled in a shaky and illegible Arabic script, was probably the copy which Mahomet kept for himself. Fortified by the signatures of some of the most powerful magnates of the Crown – “Berengerius de Podia Viridi, Guillermus de Angelaria, Eximenus Cornelli, Berengerius de Etença, et Hugesius de Impuriis” – this document comprised Mahomet's “ace in the hole” should his status or position be called in question.⁵

Aside from the minor rumblings relating to his *franquitas*, Mahomet's early career was remarkably free of scandal and no further complaints were registered. The fact that he spent much of his career actively defending the rights of his community undoubtedly engendered a high level of satisfaction, and mitigated whatever resentment his tax exemption provoked. For instance, it was Mahomet who led his community into battle against their Jewish creditors through the late 1280s and 1290s, spearheading the campaign against Jucef de Oblitas by tying up the case in a series of lengthy inquiries.⁶ Mahomet's ability to make alliances with his town's Christian administrators helped him better face these creditors, but as a debtor himself, he brought a certain personal dimension to the struggle. Hence he did not hesitate to push beyond the limits of the law, and his alleged abuse of judicial authority in this regard earned him the disapprobation of the king and a threat of dismissal on at least one occasion.⁷

Although he was not overly eager to pay taxes himself, Mahomet did work with the community's elected *procuratores (adelantati)* in order to obtain tax relief, and to keep the tax assessments of the community reflective of the value of Muslims' property. This involved a long battle for royal recognition of the argument that lands repossessed by creditors should not be assessed as part of the *aljama's* tax obligation. Temporary injunctions preventing the seizure of property to pay back taxes, and limited and general remissions, constituted Mahomet's successes in defending his community. In 1282, for example, when he took the Bishop of Tarazona to task for attempting to levy *primicias* on the Muslims of Borja and its

³ ACA, C., reg. 96, f. 51r-v (28 August 1293).

⁴ ACA, C., reg. 64, f. 148r (27 November 1286); ACA, C., reg. 194, f. 15r (25 May 1294).

⁵ AHPZ, pergs., carp. 22–26 (25 May 1294). ⁶ See p. 202.

⁷ ACA, C., reg. 109, ff. 328v–329r (6 September 1297).

Case study 5

dependent hamlets, the *infant* Alfons responded in Mahomet's favor.⁸ Six years later, as king, Alfons remitted the community 1500 *solidi* of the *peyta* which they owed for 1288.⁹ This came one year after Mahomet had obtained a retroactive tax remission for the *aljama*, which also provided for the return of properties which had been seized for back taxes up to that date.¹⁰ Finally, in 1290 the community was given a further three-year tax remission which cut its tribute from 3000 to 1500 *morabetins*.¹¹ Mahomet's performance in these affairs would have helped offset any resentment which would have resulted when his official duties forced him to take unpopular or even hostile positions against his constituents. In 1286, for example, Mahomet was ordered to work with the town's *justicia* in the repossession of the crops belonging to certain Muslims of Borja who were indebted to a Jew of Zaragoza.¹² Although he was obviously not the source of the judicial decision, in such tense and difficult situations he may have been perceived as a "collaborator" by those whom he was forced to act against.

On the other hand, there are indications that Mahomet did not always act in the best interests of his charges, and that he was not above cooperating with Jewish creditors if his own interests were clearly to benefit. Hence, in 1291 Mariam and Doneta[?], two Muslim women of Borja, complained to Jaume II that Mahomet had seized and sold a plot of land (and the goods which they had there) in order to pay a debt which they owed to a certain Jew of the same town. The sale, they argued, was unlawful, given that they were in good standing as far as the terms of their repayment went. The king ordered the town's *justicia* and *jurati* to investigate the women's claims and restore their land and properties if they were found to be true.¹³ Further hints of corruption emerged in the following years, after Mahomet had ruled in a suit between two local Muslims, Abdelle filiu[s] Sayo Datiça and Musa Melcha. Subsequently, and for motives unknown, Mahomet overturned his own decision and declared Musa to be in the right. Abdelle, however, had had the foresight to register the original decision with the Islamic magistrate of Zaragoza, and on this basis procured an immediate annulment of the new decision, on the authority of the *alfaquinus* of Alagón. Whether out of conviction or spite, Mahomet stuck to his guns, refusing emphatically ("violenter") to recognize the decision of his counterpart in Alagón, and the matter

⁸ ACA, C., reg. 59, f. 120v (18 October 1282).

⁹ ACA, C., reg. 73, f. 46v (10 February 1288). Alfons, who had promised this tribute to Artaldus de Luna, instructed Aaron Abinafia to obtain the money from another source.

¹⁰ ACA, C., reg. 70, f. 130v (14 June 1287).

¹¹ ACA, C., reg. 83, f. 88v (1 October 1290).

¹² ACA, C., reg. 66, f. 98r (2 June 1286).

¹³ ACA, C., reg. 90, f. 64r (8 October 1291).

The career of Mahomet, alaminus of Borja (1276–1302)

was finally entrusted by Jaume II to a third Muslim authority, “Asmeto filio alfaquini Asmel.”¹⁴

If Mahomet began to exhibit irregularities in his official capacity, they may have been related to the increasingly compromised position which his business dealings were putting him in, particularly as regarded his level of personal debt. The situation was so bad by the mid-1290s that his creditors, who included the local Jew Açach fili[us] Salamon Auinforma, Samuel Abinxue, the Jewish *alfaquim* of Tarazona, and Simiel Alborgi of Tudela, were garnisheeing his agricultural income. In 1294, they were driven to forcibly repossess his properties, prompting Mahomet to claim before the king that this had been done illegally.¹⁵ He was obviously no longer in the heady days of his early rule, when he had been confident and powerful enough to embark on a liaison with a Christian woman, with whom he had been discovered, apparently *in flagrante* (“inuentus fuit cum quadam Christiana”), in early 1284.¹⁶ But his arrest for this crime, which according to the statutes was a capital offense, was brief, and he continued to function in his official capacity after providing the requisite bondsmen (“capeleuatores”). Four years later, when the charges were finally dropped, no indication of guilt, innocence or, indeed, of any judicial process was alluded to in the letter, although a separate note in a different register records that he had made a payment of 500 *solidi* to the royal fisc at precisely that moment.¹⁷ At that time Mahomet, the dashing *señorito* of the *aljama*, enjoyed the administrative pull, court connections, and financial security to flaunt the most rigid of social and legal taboos imposed by the dominant Christians, not to mention the moral sensibilities of his own community, for which he was the formal arbiter of religious law.¹⁸

The last years of Mahomet’s long tenure were characterized by jurisdictional conflicts with his Christian counterparts and by what appears to have been a hostile takeover bid on the part of a rival official. Thus, in 1298 certain unnamed members of the *aljama* (undoubtedly supported by Mahomet) complained to Jaume II that they were being prevented from acceding to their *alfaquinus* in matters of justice, and that they were apparently being forced to “bring their pleas before some other individual” (“coram alio responderi”). The king reminded the *justicia* of Borja, who was evidently complicit in this conspiracy, that it was Muslims’ right and custom to have their civil cases judged by their own laws and by their

¹⁴ ACA, C., reg. 90, f. 70v (10 October 1291).

¹⁵ ACA, C., reg. 99, f. 202r (13 June 1294).

¹⁶ ACA, C., reg. 43, f. 90r (29 December 1284).

¹⁷ ACA, C., reg. 56, f. 27r (21 March 1285); ACA, C., reg. 58, f. 88v (21 March 1285).

¹⁸ Mahomet was married at the time.

Case study 5

own official, and ordered him to cease this abuse of privilege.¹⁹ Next, in 1300 the *procurador generalis* of Aragon, Luppus Ferrench de Luna, removed Mahomet from the *scribania* and appointed a new notary for the *aljama*. When Mahomet informed Jaume II of this occurrence, the king ordered Luppus to restore the *alfaquinus* to that post until such time as the king arrived and could hear the case.²⁰ The fact that Luppus removed Mahomet from only one of his posts suggests that he was not responding to complaints from the *aljama*, and there was probably a political motive behind the move: it was an attempt either to coerce or control Mahomet or to reward the new candidate, Juçef filius Muç Avendeçiembre, with patronage.

Clearly, there was a movement afoot to push Mahomet from power. Later the same year, local officials of Tarazona and Borja were warned by the king to cease charging Mahomet illegal taxes and fees. Jaume advised them not to aggrieve Mahomet or his goods, adding “On the contrary, you should observe the *sunna* and see that it is observed, just as is customary.”²¹ Yet, only a week later, having received information that Mahomet had been deficient in the performance of his public offices, the king ordered Luppus Ferrench de Luna, who could hardly be considered disinterested, to open an investigation.²² As usual, however, justice was anything but swift, and nearly a year after the inquiry had been undertaken, the *procurador generalis* had still not been sent his report to the king. Thus, Jaume wrote to Petrus Andree de Ponte Regina of Borja, who had actually carried out the inquest in Luppus’ name, and ordered him to forward his report to Berenguer de Touia, who had succeeded Luppus as *procurador*.²³ Two weeks later, this had still not been sent, and the king wrote to the notary who had recorded the process and requested that he forward it under the king’s seal to Berenguer.²⁴ It was quite usual for royal officials to be less than punctual in carrying out their duties, but their particular intransigence in this case suggests either that someone behind the scenes was working for Mahomet to stall the proceedings, or that Petrus Andree had found nothing substantial to report.

But the king’s sudden and determined interest in the case in 1301 indicates that someone, either a hostile faction within the *aljama* or among the town’s Christian officials, was agitating against the *alfaquinus*. That a

¹⁹ ACA, C., reg. 110, f. 138r (8 May 1298).

²⁰ ACA, C., reg. 115, f. 195r (25 January 1300), cit. BMA, p. 194, doc. 520.

²¹ “Immo, ipsam çunam quod obseruetis et obseruari faciatis prout est fieri consuetum”: ACA, C., reg. 116, f. 23v (16 August 1300), cit. *ibid.*, p. 220, doc. 591.

²² ACA, C., reg. 116, f. 21v (16 August 1300), cit. *ibid.*, p. 220, doc. 593.

²³ ACA, C., reg. 122, f. 289v (27 September 1301), cit. *ibid.*, p. 243, doc. 660.

²⁴ ACA, C., reg. 119, f. 35v (10 October 1301), cit. *ibid.*, pp. 245–246, doc. 668.

The career of Mahomet, alaminus of Borja (1276–1302)

Muslim official of a moderately sized *aljama* should attract so much of the king's attention did not bode well, and whatever the results of the inquiry may have been, Mahomet's days in office were clearly numbered. Indeed, by January 1302, when a document lists Muça Margon as *alfaquinus* and *alaminus* and Juçef filius Muçe Avendeçiembre as *çauaquem* and *scriptor*. Mahomet had been dismissed.²⁵ Further, any hopes Mahomet might have had of having his own son, Hamet, succeed him in office had died before he had: six months later Juçef filius Muçe Avendeçiembre also acquired the office of *alfaquinus* and, presumably, *alaminus*.²⁶ Now yesterday's man, the long-in-tooth former *alfaquinus* was no longer in a position to defend himself against his creditors, and by 1303 his former colleague Muça Alpelmi, the *alcadi* of Tudela, was forced to sue in order to recover securities he had pledged to certain Navarrese Jews for loans which Mahomet had not repaid.²⁷ When Mahomet passed away later that year, his legal problems survived him. In 1304 his first wife, Nuzeti, sued his second wife and her sons, alleging that she had not received her *mahr* and her daughters had not been given their lawful share of his estate.²⁸ In Islamic law the *mahr* (dower) or *sadāq* is the sum paid by the husband to the wife at the time of marriage, which remains her inalienable property. Quite frequently actual payment is deferred and the wedding contract specifies an amount as *mahr* which is to be paid by the husband in the event of divorce or death.

Despite his ultimate failures, Mahomet succeeded as a *mudéjar* "politician" for over twenty-five years, balancing personal and community interests and acting in the wider administrative society of the realm. He was at once above his community as their leader, and integrated with them as an agricultural producer and property owner. At the same time, he worked in cooperation with Christian officials, to his own benefit and to that of his *aljama*. In his case, whatever harm may have been introduced

²⁵ ACA, C., reg. 268, f. 266r (31 January 1302), cit. *ibid.*, p. 256, doc. 698.

²⁶ ACA, C., reg. 199, f. 94r (1 July 1302), cit. *ibid.*, p. 264, doc. 723. When Mahomet appointed Hamet to a judicial board in 1279 he had undoubtedly been preparing him to follow the family vocation; ironically, he had appointed Juçef to the same panel: ACA, C., reg. 253, f. 22v (1 July 1279).

²⁷ ACA, C., reg. 129, f. 52r (6 September 1303), cit. BMA, p. 285, doc. 782; ACA, C., reg. 132, f. 140r (26 April 1304), cit. *ibid.*, p. 305, doc. 839.

²⁸ ACA, C., CRD, Jaume II, ca. 16, no. 2109 (14 August 1304), cit. *ibid.*, p. 322, doc. 893. According to Maliki *shari'a* Nuzeti's daughters should have received a portion (half of the share which sons could claim) of the net estate, based on the number of heirs who could claim against it. They cannot be disinherited, as distribution of the estate to them is compulsory (they have *khilāfa ijba' rriyya*) and their share is assured by law (they are *aṣḥāb al-furūd*). See M. Khadduri and H. J. Liebesny, *Law in the Middle East*, vol. 1: *Origin and Development of Islamic Law* (Washington: Middle East Institute, 1955), pp. 160 and 168ff.; cf. al- al-Kayrawānī, *Risala*, pp. 214, sec. 39 and 217–218, sec. 39: E.

Case study 5

by the concentration of power seems to have been offset by the benefits of his effective leadership and the community stability which resulted. Had he been able to maintain the equilibrium of the *aljama* during his final years, he might well have seen his own son succeed to the post, to continue the family's fifty years of community leadership. Indeed, there would be little impetus for a king to intervene against them. But in the end, Mahomet's career fell victim to a combination of his own relatively minor abuses of office, his dubious financial dealings, and the machinations of rivals for the leadership of the community.

THE GOOD, THE BAD, AND THE
INDIFFERENT: CHRISTIAN OFFICIALS
IN THE EBRO REGION

The stresses and tensions which developed in *aljamas* did not necessarily result from the subordinate status of Muslim fiscal and judicial administration of the Crown, but were a consequence of the “normal” dynamic of government, and thus the behavior of *mudéjar* officials did not differ significantly from that of their Christian and Jewish counterparts. When their official and private acts are cataloged, it emerges that these officials did not act according to communal biases, but rather in response to their own interests. Like their Muslim colleagues, they constituted a hinge between Christian, power and local *mudéjar* collectives, and through their position as intermediaries bridged the three confessional communities of the Crown. In this final section, the careers of four typical Christian officials are examined in terms of their interaction with their subjects of the Crown’s three ethno-religious groups.

BARTHOLOMEUS THOMASII, *BAIULUS* AND *MERINUS* OF
ZARAGOZA (1276–1283)

Many officials, particularly those who functioned in a variety of administrative offices simultaneously, had jurisdictions which included Muslim, Christian, and Jewish communities. Such was the case with Bartholomeus Thomasio, who for eight years was one of the most powerful figures of royal tax and judicial administration in the Ebro–Jalón region. His influence can be traced back to 1276, when he was appointed *baiulus* of Zaragoza, in charge of a wide province including Alfamen, Almonacid de la Cuba, La Almunia de Doña Godina, Cetina, Daroca, Embid de la Rivera, and Huesca, and his letter of commission commanded all of the royal subjects (*homines*) of these places to respond to his jurisdiction alone.¹ Although primarily concerned with Christian communities, the *baiulus* also acted as an intermediary and representative of the king in dealings with *aljama* officials. Four years after this appointment,

¹ ACA, C., reg. 38, f. 15r (27 or 28 August 1276).

Case study 6

Bartholomeus expanded his powers considerably when, in January 1280, he was appointed *merinus*. The *merinatus* of Zaragoza was the largest in Aragon, and included the towns along the Ebro and its tributaries, including the lower Jalón.² This appointment implicated him deeply in the administration of the *aljamas* of Zaragoza and its vicinity; not only did he participate in the appointment of Muslim officials, but he also oversaw the market, received the rents of the oven and *alfondeca*, received the royal share on a whole gamut of fines, and collected many of the various taxes which the community paid.³ In the following month he further consolidated his position by acquiring rights to the *scribania*, postal service (*cursores*), and the tax on *mudéjar* goat slaughter, and the ability to appoint a magistrate to act as his adjunct.⁴ In June of the same year the local *baiulia* of Taust, Épila, Ricla, Almonacid, and Alfamen were added to his competencies.⁵ Such broad and far-reaching powers not only netted Bartholomeus a substantial income, but also bestowed on him considerable informal influence as a result of his ability to dispense royal patronage.⁶ Such power, however, did not come without a price; and just like his Muslim and Jewish counterparts, he was required occasionally to lend money to the royal treasury under unspoken duress.⁷

In his fiscal capacity, the *baiulus* was heavily involved in the *franquitas* controversies which all three confessional communities of Zaragoza experienced, and in matters of taxation, Bartholomeus did not exhibit any more leniency with Christians than he did with Muslims or Jews.⁸ This can be seen in 1280, when he seized the goods of certain Castilian merchants whom he alleged had not paid *pedagii* (tolls); he subsequently refused to return their goods even once it had been established that they had paid.⁹ As a Christian judicial official, Bartholomeus also had jurisdiction over members of all three ethno-religious communities. He investigated crimes, including murder and rape, and enforced local arms control

² See A. Ubieto Arteta, *Historia de Aragón. Divisiones administrativas*, pp. 112–114.

³ Naturally the *merinus* had extensive jurisdiction over Christians and Jews as well: see Bofarull, *El registro del Merino de Zaragoza, Provincial*, 1889), pp. 3–7.

⁴ For goat slaughter, see p. 299.

⁵ Canellas, *Colección diplomática del concejo de Zaragoza*, II, pp. 110, doc. 109, 115, doc. 120, 116, doc. 121, 117, doc. 125, 128, doc. 146.

⁶ See, for example, *ibid.*, p. 191, doc. 267.

⁷ In 1282, for example, the *infant* Alfons informed the *merinus* that he was required to loan him 200 *solidi*: *ibid.*, p. 191, doc. 268.

⁸ For Muslims, see above, Case Study I, pp. 000ff., and ACA, C., reg. 38, f. 55v (18 October 1276); for the Jewish community, see Canellas, *Colección diplomática del concejo de Zaragoza*, II, p. 112, doc. 114, 121–122, doc. 134, and 138, doc. 168; for Christians, see *ibid.*, pp. 114–15, doc. 118.

⁹ *Ibid.*, pp. 122, doc. 135 and 142–143, doc. 177.

Christian officials in the Ebro region

ordinances, occasionally provoking complaints from his Christian subjects.¹⁰ His wide judiciary powers over the Jewish community included investigating capital crimes (including murder and forgery), choosing and supervising Jewish magistrates, and defending the community's legal rights.¹¹ In the case of *mudéjares*, he occasionally became involved in judicial inquiries either as judge or executor, but his main responsibility was to ensure that the jurisdiction of the *sunna* and its officials were respected.¹²

Officials could dramatically increase their personal income by aggressively expanding their jurisdictions at the expense of fellow officials, or simply by extorting extraordinary fines and taxes, and this is precisely what Bartholomeus did. Complaints about his excesses began to arrive at the royal court as early as 1278, when the equally colorful Muslim official, Abraham Abengentor, alleged that the *baiulus* was trespassing on his rights as *scriptor*.¹³ Two years later Bartholomeus was reminded by the king that the Muslims of Zaragoza were to be judged “by their *alcadi* according to their *sunna*, and not to aggrieve them or allow them to be aggrieved” and ordered to cease interfering “in the cases in which the said *sunna* ought to be observed by their *alcadi*.”¹⁴ But Bartholomeus was not taking advantage of Abraham or the *aljama* of Zaragoza merely because they were Muslim; a few days after the matter of Zaragoza was dealt with a committee of Christian officials from several Aragonese towns sought out Pere II, who was besieging rebellious Balaguer, to register similar complaints.¹⁵ In fact, the *baiulus* had run-ins more frequently with Christian than with Muslim officials. In 1278 he was accused of interfering with the jurisdictions of the *scriptores* of Zaragoza and Alfajarín, and in 1280 he began what was to be a long rivalry with Garsie Garcessi de Arazuri, the *zalmedina* of Zaragoza.¹⁶ He went on to receive reprimands in that year for illegally

¹⁰ Ibid., pp. 175–176, doc. 237, 143, doc. 178, 116–117, doc. 123, 171, doc. 229. It was Bartholomeus whom Pere II sent to investigate the forced baptism of the Muslims of Huesca (see p. 256).

¹¹ Ibid., pp. 114, doc. 117, 137–138, doc. 167, 124, doc. 140.

¹² As *merinus* Bartholomeus investigated illegal land sales by Muslims and Jews, as well as the alleged abduction of a Christian woman by Muslims: ACA, C., reg. 46, f. 75v (12 April 1282); for the abduction see p. 311. A charter of 1283 demonstrates that he had powers of arrest over *mudéjares* awaiting trial by Muslim magistrates: ACA, C., reg. 46, f. 75r (12 April 1283).

¹³ See p. 358.

¹⁴ “per alcadium eorum secundum assunam eorum, etiam eosdem contra assunam predictam non adgrauetis nec permitatis per aliquem adgrauari”; “in casibus in quibus eis dicta assuna debeat obseruari per alcadium eorum”: ACA, C., reg. 48, f. 64v (7 July 1280), ed. Canellas, *Colección diplomática del concejo de Zaragoza*, II, p. 129, doc. 149.

¹⁵ ACA, C., reg. 48, f. 68v (10 July 1280). This came only a few days after Bartholomeus had been confirmed as *baiulus* of the towns in question.

¹⁶ Canellas, *Colección diplomática del concejo de Zaragoza*, II, pp. 88, doc. 68 and 119, doc. 129.

Case study 6

aggrieving certain Jews of Zaragoza and their community, apparently by subverting *aljama* law and appropriating their goods, and was subsequently instructed to cease detaining them unlawfully and over-charging them for taxes.¹⁷ Such warnings, however, seem to have had little effect, and far from mending his ways, he went on to unlawfully seize the goods of a Muslim couple from Calatorao in 1282.¹⁸ Whether as the result of such abuses of power or of some other intrigues, in 1283 Bartholomeus was suspended from his offices by the *infant* Alfons, pending investigation.¹⁹ The results are unknown, but it seems that this inquisition spelled the end of the *baiulus*' career.

Although *mudéjares* enjoyed a direct relation with the king in judicial and administrative affairs, royal power worked almost exclusively through the medium of officials who came into personal contact with royal subjects. These individuals, like Bartholomeus Thomasii, invariably had agendas of their own and were often prepared to ignore or defy the royal will when it suited their personal plans. On the other hand, Muslim individuals and communities were far from powerless in their dealings with such individuals. When they felt abused they could appeal directly to the Crown, and when they felt confident enough, they too could openly or passively resist royal or official mandates. Bartholomeus came to appreciate this when, as *merinus* of Zaragoza, he levied a 240-*morabetin* fine on the Muslims of Alfamen in 1282. Whether the fine was merited or not, Bartholomeus stood to gain a 1000-*solidi* commission – hardly a recommendation to impartiality.²⁰ But the *mudéjares* simply refused to pay, and after the frustrated *merinus* had a fellow official repossess their livestock in order to make good the debt, the *infant* Alfons ordered the animals to be returned and issued a rebuke to the official for abuse of process.²¹ A year later, the royal order finally came through for the collection of this sum and its payment to the former *merinus*, but this was also resisted by the Muslims. In November of 1286 the fine remained unpaid and a subsequent order was sent out to the same official.²² Muslim communities, it appears, could also profit from the apathy or inertia of Christian administrators, like Bartholomeus' successor, and capitalize on the administrative disorganization and political vulnerabilities of the Crown.

¹⁷ *Ibid.*, pp. 133, doc. 158, 140, doc. 172. ¹⁸ ACA, C., reg. 60, f. 30v (24 February 1282).

¹⁹ Canellas, *Colección diplomática del conceja de Zaragoza*, II, p. 199, doc. 284.

²⁰ The amount of Bartholomeus' commission is revealed in a later document: ACA, C., reg. 67, f. 129r (16 November 1286).

²¹ ACA, C., reg. 59, f. 61v (23 August 1282).

²² ACA, C., reg. 52, f. 82v (23 December 1283); ACA, C., reg. 67, f. 129r (16 November 1286), *cit.* above, n. 20.

Christian officials in the Ebro region

EGIDIUS TARINI, *MERINUS* OF ZARAGOZA (1292–1312)

If Bartholomeus Thomasii was an ambivalent character, Egidius Tarini, *justicia* of Aragon and *merinus* of Zaragoza, definitely viewed his subjects with a marked disdain. Egidius was in many ways a typical upper-level Christian functionary, coming from a prestigious family (although not among the great noble clans), whose members enjoyed influence in the court and the Church.²³ Aside from receiving various rents and taxes from his *mudéjar* subjects, Egidius' principal official interaction with Muslims came in his role as a mediator in *franquitas* and debt disputes; as *merinus* of Zaragoza he acted as the king's voice in the various legal battles between the Muslim *franci* and the *aljama* through the 1290s.²⁴ In these affairs his level of service was less than inspiring: the lack of resolve generally shown by royal officials, who let *franquitas* controversies drag out over many years, reached an extreme in Egidius' case. By 1292, his inaction became so obvious that Jaume II removed him from the case, handing the matter over to Bartholomeus de Slava, reiterating the order two days later.²⁵ Nor was Egidius' performance in the parallel controversy between allegedly *franci* Muslims of Ricla and their *aljama* any more impressive. When that *aljama* received a favorable decision from the king, striking down the *franquitas* which some Muslims were claiming as a result of relationships with *infanzones*, the *merinus* simply refused to enforce the judgment.²⁶ As this dispute sputtered on, Egidius came down squarely against the *aljama*, standing by as the Christian *concilium* repossessed what the *aljama* had rightfully taken in taxes, and persisting in his tacit refusal to recognize the Muslim community's legal victory.²⁷

The *merinus* was obviously far from detached as an administrator, and in 1291, shortly after coming to office, he unlawfully deposed Buchar filiu[s] Farag Auenladron from the "office of the Muslim *alcudia*" ("officium alcadie Sarracenorum") of Zaragoza to which he had been appointed by Alfons II.²⁸ Presumably Egidius wanted to put in his own appointee or

²³ Important relatives included Johannes Egidii, Lord of Mozota, advisor to Jaume II, *zalmedina* of Zaragoza (from 1274) and *justicia de Aragon* (from 1284); Martinus Egidii, another favorite of Jaume II; Bartolomeus Tarini, *superiunctarius* of Zaragoza (from 1304) and Lord of Alfocsa (from 1311); and Stephanus Egidii, chamberlain of the Cathedral of Zaragoza (from 1303); Bofarull, *El registro del Merino de Zaragoza*, p. xv.

²⁴ Recall his involvement in the Galip case, for example (see above, pp. 000ff.). In 1291 Egidius took over the *merinatus* of Zaragoza from Galatanus de Tarba, who had replaced Bartholomeus Thomasii. According to Bofarull, the Tarini and the de Tarba were rival families: *ibid.*, pp. xvii–xviii.

²⁵ ACA, C., reg. 92, f. 147r (28 June 1292). Cf. above, p. 332.

²⁶ ACA, C., reg. 92, f. 75r (21 May 1292).

²⁷ ACA, C., reg. 92, f. 92r (27 May 1292); ACA, C., reg. 92, f. 104r (3 June 1292).

²⁸ ACA, C., reg. 90, f. 144r (9 November 1291).

Case study 6

usurp the office (and its attendant revenues) himself. The royal order, however, was of limited effectiveness; although Buchar was restored to office, the *merinus* continued to trespass on his jurisdiction.²⁹ Three months later, Egidius was reprimanded for usurping the *alcaydus*' power again, arresting a certain "Mahomet de Pan Farina" and denying him access to Islamic law (according to a complaint by the *adelantati* and *aljama*).³⁰ Jaume II's response was to order the transfer of the suspect to Muslim jurisdiction and warn the *merinus* "that henceforth you not detain any Muslim against the [established] privileges." The same month, however, another Muslim, Abderame, complained of receiving exactly the same mistreatment at Egidius' hands.³¹

It was at this time that the Christian official's real interests in the *aljama* and its officials become patent, as the king reprimanded him for taking monies (particularly fees generated by fines) from the *aljama* and its magistrate.³² Tensions were mounting, but the *merinus* continued with what could only have been deliberately inflammatory policies. Either to raise money for himself or to show the Muslims of Zaragoza the type of abuse which they could expect if they were to resist his authority, he began to billet nobles and soldiers in their homes, a move which must have amounted to an unspeakable outrage in the eyes of the *mudéjares*. Jaume II responded with a reprimand which did not hide either his indignation or his incredulity:

whereby, since the said Muslims do not have to give [soldiers] hospitality nor house them, even when We come to Zaragoza and [the soldiers] come with Us as part of Our household, We order and command you not to permit the aforesaid Muslims of that *aljama* to be compelled or forced to house those nobles or their households. On the contrary, you should defend them from any such compulsion, insofar as it may be necessary.³³

That same year Egidius denounced Pan Farina and Abderame for physically assaulting him – an act of resistance or revenge of impressive daring on the part of the two *mudéjares*.³⁴ Surprisingly, this attack on a powerful royal official netted them nothing more than a very hefty 200-*solidi*

²⁹ ACA, C., reg. 91, f. 51r (1 March 1292). ³⁰ ACA, C., reg. 92, f. 144v (1 July 1292).

³¹ "quod de cetero non capiatis aliquem Sarracenum contra priuilegia": ACA, C., reg. 92, f. 164v (9 July 1292).

³² ACA, C., reg. 92, f. 146v (28 June 1292).

³³ "unde cum dicti Sarraceni non teneantur eisdem ad prestandum hospicia sua, nec ad hospitandum eosdem, nisi quando nos contigit ire Caesarauguste et ipsos uenire nobiscum et in familia nostra, dicimus et mandamus uobis quatenus non permitatis compelli nec forciari Sarracenos predictos dicte aljame ad hospitandum nobiles memoratos seu familias eorumdem. Immo ipsos a compulsionem predicta prout faciendum fuerit deffendatis": ACA, C., reg. 91, f. 54r (3 March 1292).

³⁴ ACA, C., reg. 92, f. 144v (1 July 1292).

Christian officials in the Ebro region

fine, and the two culprits, who had been imprisoned by Egidius, were ordered to be released by the king once they had paid.³⁵ Six months later, in September of 1293, another order was issued for what may have been a subsequent assault on the *merinus*, in which Abderame was sent before the *justicia* of the kingdom.³⁶

Over the following years Egidius intensified his campaign against the Islamic administration. In March of 1295, he was again reprimanded for violently (“violenter”) usurping the rights of the *alcaydus*, and for illegally imprisoning Muslims in violation of *sunna* and privilege. The situation had deteriorated to the point that Muslims had taken to fleeing the *moreña* and the jurisdiction of the king to seek refuge “in the territories of barons and even *infanzones*.”³⁷ Yet even the reissue of Jaume’s reprimand in May of that year, in still stronger tones of displeasure, was not sufficient to dissuade the *merinus*, and the same charter was repeated again in June of 1297 after Muslims complained that Egidius had “not ceased [his abuses], nor wanted [the king’s order] to be exercised.”³⁸ In fact, the following month the *aljama* complained that Egidius was unlawfully interfering in their accounts, and the king despatched another order for him to desist.³⁹ But although the *baiulus* oppressed the *aljama*, he was aware of the extent to which its interests coincided with his own. Thus, in 1295 he assisted the Muslim community in the illegal appropriation of Jucef de Galip’s orchard, supporting it in the battle against the *franci* Muslims.⁴⁰ The fact that the Temple was a Christian organization meant nothing to the *merinus*, who saw its power only as a further challenge to his authority; the Galip case was not the only occasion on which Egidius ran up against the order regarding their respective jurisdictions.⁴¹ Nor did he favor the local Christian community, and he aggressively defended the *aljama* against the town’s *universitas*, which he also saw as a rival. Hence, in 1298 he summarily jailed Vitalis de Jacca, a *juratus* of the city who had arrested a certain Muslim found walking armed through the city by night. The *mudéjar* in question happened to be an *alcaydus* deputized by

³⁵ ACA, C., reg. 255, f. 23v (4 March 1293).

³⁶ ACA, C., reg. 96, f. 25v (16 September 1293). Members of the Panfarina (or “Pontfarina”) family did not hesitate to express their discontent in the most direct terms to Christian officials. In 1306, Mahomet de Panfarina’s son Ali was accused of physically assaulting the Christian *alcaydus* *Sarracenorum* of Zaragoza. The case was sent for judgment before Egidius Tarini, who cannot be expected to have exhibited leniency given his personal experiences with the father of the accused: ACA, C., reg. 236, ff. 109v–110r (5 February 1306), cit. BMA, p. 358, doc. 997.

³⁷ “ad loca baronum et etiam infancionum”: ACA, C., reg. 100, f. 379r–v (18 March 1295).

³⁸ “non cessatis nec uultis mandatum nostrum predictum exequi . . .”: ACA, C., reg. 108, ff. 123v–124r (12 June 1297).

³⁹ ACA, C., reg. 253, f. 51v (12 July 1297), cit. BMA, p. 160, doc. 417.

⁴⁰ See p. 333. ⁴¹ Bofarull, *El registro del Merino de Zaragoza*, pp. xviii–xix.

Case study 6

Egidius to guard the *moreña* and, thus, the *merinus* rose emphatically to his own man's defense.⁴²

Egidius Tarini was obviously an administrator who was very conscious of the limits of royal power, and who was quite committed to following an agenda distinct from that of the king. Like his predecessor Bartholomeus Thomasii, Egidius clearly viewed his jurisdictions as private enterprises and opportunities for personal enrichment. Both Muslims and Christians colleagues and subjects suffered as a result of his lack of scruples, although they were not entirely powerless to strike back either by complaining to the king, or by outright rebellion. But in the end, it was the official who enjoyed the advantage: royal power was so tenuous that even their open defiance of direct orders was rarely punished with more than a written rebuke. On the other hand, the king's patience did have limits: chronic defiance and blatant dishonesty could hardly be tolerated. Thus, a frustrated Jaume II ordered Egidius' dismissal in October 1300. A new *merinus*, Bernardus de Speluncis, was sworn in and Egidius was summoned to the royal presence to "render accounts" ("reddendo compoto et ratione") for his management of the *merinatus*.⁴³ As a result, Jaume II discovered the depths of his corruption, which included "receiving illegal impositions, and imposing illicit and unmerited remissions of fines for murders and other penalties, molesting and oppressing subjects of his jurisdiction as well as in that of others," and ordered him to be tried by the *justicia* of the kingdom, Eximinus Petri de Salanova.⁴⁴ But Egidius must have been a cagey character; by January 1302 he had bounced back into office, where he continued to serve until 1311.⁴⁵

ENNEGUS LUPPI DE JASSA, *MERINUS* OF HUESCA AND BARBASTRO AND *BAIULUS GENERALIS* OF ARAGON (1276–1308)

Not every royal official, however, was opportunistic or abusive, and there are examples of Christian administrators who completed lengthy tenures which were more or less untainted by scandal. Ennegus Luppi de Jassa, for example, generated very few complaints from either his

⁴² ACA, C., reg. 110, f. 37v–38r (3 April 1297), cit. BMA, p. 177, doc. 469.

⁴³ ACA, C., reg. 116, f. 184r. (20 October 1300), cit. *ibid.*, pp. 227–228, doc. 616.

⁴⁴ "capiendo illicita seruicia illicitasque et indebitas remissiones et relaxationes de caloniis homicidiorum et penis aliis faciendo tam sue jurisdictionis subditos molestando et oprimendo quam in aliis pluribus . . .": Bofarull, *El registro del Merino de Zaragoza*, p. xix.

⁴⁵ For the duration of his second term in office see *ibid.*, p. xx. It was Egidius who was despatched to investigate the lynching of the unbalanced potter of Almonacid in 1307 (see p. 169).

Christian officials in the Ebro region

Muslim or his Christian charges, in spite of a thirty-year career which carried him from the post of *zalmedina*, and later *merinus*, of Huesca and Barbastro, to *baiulus generalis* of the Kingdom of Aragon.⁴⁶ Like the other *merini* of the realm, Ennegus' fiscal and justice responsibilities transcended confessional boundaries, and not surprisingly, he found himself involved in a series of *franquitas* cases. Thus, in the 1280s, as *zalmedina* of Huesca, he was ordered to ensure that the town's *franci* Muslims paid taxes on their *realencho* holdings, while restraining the *aljama* from over-reaching its capacity by taxing land that was, in fact, exempt.⁴⁷ This experience doubtless served him well when in 1291, as *baiulus generalis* of the kingdom, he was instructed to moderate the long-simmering *franquitas* controversies of Zaragoza.⁴⁸ Ennegus' apparent sympathy with the *aljama* in that case may have reflected his attitudes towards the *aljama* of Huesca, the taxes of which contributed to his pay as *merinus* and *zalmedina*. But it was evident that he took his responsibilities in Huesca seriously; in his capacity as *merinus* he also monitored the performance of the *aljama*'s officials (in this case the problematic Abraham Abengentor), and it was probably his efforts which finally resulted in that official's impeachment.⁴⁹

Ennegus' responsibilities as *baiulus* of Aragon brought him into contact with *mudéjares* across the realm. The last decade of the 1200s, for instance, found him in Borja working with the local *superiunctarius*, Alamannus de Gudal, trying to disentangle the case of the Oblitas – the Navarrese-Aragonese Jewish family whose Muslim and Christian debtors (including Mahomet the *alfaquinus*) were attempting to escape their financial obligations.⁵⁰ Sundry duties included administering the king's Muslim slaves in Aragon, and organizing the extraordinary labor levies which Jaime II

⁴⁶ The *merinati* of Barbastro and Huesca were distinct jurisdictions and were held by different individuals until 1297, when jurisdiction over Barbastro was given to Ennegus permanently: ACA, C., reg. 108, f. 32v (25 May 1297). Ennegus had held the post temporarily as early as 1276: ACA, C., reg. 38, f. 14v (27 or 28 August 1276); see also Soldevila, *Pere II*, pp. 105–106, doc. 98 (undated, 1277). The two jurisdictions were formally fused sometime before 1339/1340. Cf. Ubieto, *Historia de Aragón. Divisiones administrativas*, pp. 102 and 105–106. Ennegus had held the post of *baiulus* and *zalmedina* of Huesca since 1276: Soldevila, *Pere el Gran*, 1995 [1956], p. 105, doc. 96.

⁴⁷ ACA, C., reg. 41, f. 58v (23 April 1279); ACA, C., reg. 85, f. 190r (5 June 1291).

⁴⁸ See above, p. 330. Ennegus Luppi de Jassa seems to have been the first official to bear the title “*baiulus in Aragonia generalis*”: see Ubieto, *Historia de Aragón. Divisiones administrativas*, p. 122.

⁴⁹ ACA, C., reg. 88, f. 141r (28 November 1293). For Ennegus' role in the Abengentor affair, see above, pp. 361ff. Ennegus had been personally entrusted with the case by the king just prior to the Muslim official's dismissal.

⁵⁰ See pp. 202 and 367; ACA, C., reg. 92, f. 68v (18 March 1292); ACA, C., reg. 92, f. 150r (25 June 1292).

Case study 6

occasionally required of his subjects.⁵¹ Unlike so many of his contemporaries, Ennegus never seems to have fallen into disgrace, although he did generate occasional complaints. In 1293, a delegation of two *mudéjares* of Huesca, representing a larger contingent of the *aljama*, journeyed to the presence of Jaume II. They protested to the king that the *baiulus generalis* had unjustly inflicted collective punishment on them, having fined the community because its *adelantati* had failed to submit proper tax accounts.⁵² Nearly a decade later he was reprimanded for failing to release three suspects in the murder of a Muslim of Naval from prison, despite the fact that they were prepared to post bail and stand trial.⁵³ In addition to these minor complaints, Ennegus found himself in the sorts of jurisdictional conflicts which were typical among rival officials, locking horns on occasion with both the *baiulus Sarracenorum* of Huesca, Andreas Petri de Azlor, and the *çauaquem*, Aljaffar, in 1301.⁵⁴ Looking over his record, Ennegus appears not so much as a rapacious opportunist but, rather, a hard-nosed administrator determined to impose his authority even if it meant breaking a few rules.

In the end, Ennegus' integrity seems to have served him well; by 1302 he had left the post of *baiulus generalis* apparently without incident, and by 1308 he was serving as a canon of the cathedral of Zaragoza.⁵⁵ Even in this capacity, however, the former official found himself embroiled in *mudéjar* issues when, in his new capacity as a churchman, he wrote to Jaume II complaining that the Muslims of Urrea, Bardallur, Turbena, Placencia, Caulor, and Luceni were refusing to pay *primicias* and *decimas* which they owed his chapter for lands which they were farming for or

⁵¹ In 1286, when certain royal slaves (Muslim men and women from Burriana in Valencia) had completed whatever tasks had been demanded of them in Huesca, Ennegus was ordered to arrange their transport to Barcelona. The *baiulus* was authorized to sell "one or two of the Muslims" in order to satisfy his expenses ("venditis unum uel duos de predictis Sarracenis": ACA, C., reg. 90, f. 211v [27 November 1291].) It was to him that Jaume ordered "Abdela, the Muslim, and the other Muslims smiths of Huesca" to report when they were being recruited to work in Santa Eulàlia ("Abdela, Sarraceno, et aliis Sarracenis calderariis Osce"; see p. 154).

⁵² ACA, C., reg. 98, f. 253v (5 August 1293).

⁵³ The suspects are listed as "Dominici de Rege, Abraham del Burro et Juceffi del Alami, habitantes in Nabal." Dominicus was Christian and the other two Muslim, but given the capital nature of the crime, all were required by law to stand before the Christian *justicia* of Barbastro: ACA, C., reg. 123, f. 103v (28 April 1302), cit. BMA, pp. 258–259, doc. 705.

⁵⁴ Andreas complained twice in November 1299 that Ennegus was undermining his judicial authority and interfering with his jurisdiction ("intromittitis uos de percipiendis iuribus et prouentibus ad officium ipsius baiulie spectantibus de quibus uos intromitere non debetis"): ACA, C., CRD, Jaume II, ca. 4, no. 596 (9 November 1299), cit. *ibid.*, p. 188, doc. 504bis; ACA, C., reg. 114, f. 67r (20 November 1299), cit. *ibid.*, p. 190, doc. 508. Andreas had been appointed by the queen-mother, Constanza, of whose patrimony the *aljama* was a part (see Basáñez, *La aljama sarracena de Huesca en el siglo XIV*, p. 7), while Ennegus was a functionary of the king – a factor which may have encouraged competition. For the conflict with the *çauaquem* see above, p. 363.

⁵⁵ A document of 1302 lists Egidius de Jacca as *baiulus generalis*: see p. 380, n. 45.

Christian officials in the Ebro region

had bought from Christians. A sympathetic Jaume II ordered his officials to secure these monies for the cathedral, impounding the goods of the Christians and Muslims involved if necessary.⁵⁶ Ennegus' experience with *mudéjares*, however, was not limited to his official life. Like so many of his contemporaries he was a slave owner and had Muslims among his household, but his personal life was undoubtedly most deeply affected when a close relative, a child, was murdered by a group of *mudéjares* of Cuarte, who subsequently fled to Navarre.⁵⁷

ALAMANNUS DE GUDAL, *SUPERIUNCTARIUS* OF TARAZONA (1279–1308)

The subjugation of Islamic administration to a higher Christian power involved Christian officials in *mudéjar* fiscal and judicial administration, where they acted as intermediaries between the Crown and local Muslim authorities. It was in such a capacity that Alamannus de Gudal, who served for twenty-nine years as *superiunctarius* of Tarazona, was given responsibility for safeguarding the jurisdictions of Muslim officials and executing their sentences.⁵⁸ Thus, when certain Muslims of Saviñán refused to take their disputes to their officially designated *alfaquinus*, Ali of Calatayud, it fell to Alamannus to compel them, and two years later he was ordered to carry out the various judgments which this Islamic official had made.⁵⁹ Because *aljamas* were essentially autocephalous and there was no real hierarchy of Islamic jurisdiction above the local level, it was often Christian officials who arbitrated disputes between local Islamic authorities. Thus, when a jurisdictional controversy arose between Ali and his counterpart in Ricla, it was Alamannus, rather than their ostensible superior, the *alcaydus Sarracenorum* of Zaragoza, who was given the authority to resolve the problem.⁶⁰

⁵⁶ ACA, C., reg. 142, ff. 242v–243r (5 November 1308), cit. BMA, p. 421, doc. 1179.

⁵⁷ One of Ennegus' slaves, Moçot, was stolen (or absconded) in 1297, but was eventually recovered: ACA, C., reg. 108, f. 36r (27 June 1297). For the murder, see above, p. 230, n. 91. The murdered boy, "Enequo, filio Sancii Darascutis, militis domini," was apparently named after his illustrious relative: ACA, C., reg. 132, ff. 167v–168r (16 May 1304), cit. BMA, p. 309, doc. 850.

⁵⁸ Alamannus' surname occasionally appears as "de Gudar" in the documentation. He first appeared as *superiunctarius* in May 1279: Canellas, *Colección diplomática del concejo de Zaragoza*, II, pp. 90–91, doc. 73. The *superiunctaria* of Tarazona had a considerable geographic jurisdiction, which stretched from Aranda, Borja, and the Jalón, on the southern bank of the Ebro, to Ejea and the bridge at Luna on the northern bank, ranging from the borders of Castile and Navarre to Zaragoza (See Ubieto, *Historia de Aragón. Divisiones administrativas*, p. 141). In addition to his post as *superiunctarius*, Alamanus also seems to have held the position of *alcaydus* of Albarracín, probably as an absentee beneficiary: ACA, C., reg. 116, f. 36r (27 August 1300).

⁵⁹ ACA, C., reg. 41, f. 110r (22 July 1279); ACA, C., reg. 49, f. 85v (1 May 1281).

⁶⁰ ACA, C., reg. 50, f. 242v (25 February 1282).

Case study 6

Several episodes of the *superiunctarius*' intervention in tax-related cases are also recorded. In October 1291, for example, he was instructed to "compel" ("compellare") the Christians and Muslims living in Lumpiaque and other hamlets in the district of the castle of Rueda to pay the *peytas* which they owed the *alcaydus*.⁶¹ In a similar case in the same year, Alamannus was despatched on behalf of the Hospital commander of Zaragoza to collect unpaid back-rent from his tenants P. Luppi de Cabannis and Mahomet Ferratii, and the *infant* Alfons had earlier responded to a complaint by the same order regarding certain Muslims' refusal to pay the *cena* of the Commander by despatching Alamannus as his agent.⁶² Apart from enforcing their liabilities, as a representative of royal power it befell the *superiunctarius* to guard Muslims against fiscal abuses. Hence, responding to a petition from the Order of the Holy Sepulchre in Calatayud, Pere II ordered him to protect two Muslim *fratres* who were being forced unlawfully to contribute to the *exercitus* levy in 1281.⁶³ Similarly, in 1286 Alamannus was called in to safeguard the *aljama* of Alfamen against predatory municipal tax collectors, and to protect the Temple's vassals in Nigiüella and Pedrola, when the *alcaydus* of Nigiüella and Luppus Ferrench de Luna had attempted to usurp the Order's tax rights.⁶⁴ This last episode was reprised seven years later, when Luppus Ferrench set his sights on the tax revenues of the Temple's Muslims at Calatayud and Ricla.⁶⁵ In many cases, however, it was not the Muslims themselves that were being protected but, rather, the rights of their fiscal lord. For example, when Alamannus was called on in 1290 to resolve a case between the Monastery of Veruela and two nobles regarding the taxes of certain Muslim vassals of the chapter who lived on the nobles' lands, the *mudéjares* themselves may have had little stake in the outcome.⁶⁶

In other cases, however, the *superiunctarius* was called in expressly to serve the interests of his Muslim constituents. Thus, the *infant* Pere ordered Alamannus to bring to justice the persons guilty of robbing of

⁶¹ ACA, C., reg. 90, f. 92v (20 October 1291).

⁶² ACA, C., reg. 90, f. 103r (19 October 1291). Here we have another example of a joint Christian-Muslim economic venture. The Commander had evidently been passing through Pleitas (near La Almunia de Doña Godina) and had required his local Muslim subjects to pay him a *cena de presència*, which they refused: ACA, C., reg. 62, f. 54v (5 or 6 May 1283).

⁶³ ACA, C., reg. 49, f. 76r (30 April 1281), cit. above, p. 175, n. 210.

⁶⁴ ACA, C., reg. 66, f. 232v (28 October 1286); ACA, C., reg. 50, f. 181v (23 October 1281). Alamannus and the *justicia* of Calatayud ruled in favor of the Temple and its vassals, but sixteen years later local officials were again attempting to force the Templar *mudéjares* of Nigiüella to contribute: ACA, C., reg. 103, f. 239r (28 February 1296).

⁶⁵ ACA, C., reg. 91, ff. 67v–68r (5 March 1292).

⁶⁶ ACA, C., reg. 42, f. 201v (12 January 1290).

Christian officials in the Ebro region

Villeta, a Muslim woman of Ricla, in 1291, and a year later Jaume II sent him to locate and retrieve cattle belonging to Juceffus Abinefre, a Muslim of the same town, which had been rustled.⁶⁷ On the other hand, he was ordered to investigate the failure of the Muslims of Zaragoza to come to the aid of their Jewish fellow townsmen when their houses were attacked by a band of Christians, and it was he who was sent to Navarre to track down and extradite the fugitive *mudéjares* who had murdered Ennegus Luppi de Jassa's grandson.⁶⁸ Many of the *superiunctarius*' duties were specifically related to Muslims, but he acted in a corresponding capacity with Christian and Jewish officials, enforcing their judgments and maintaining their jurisdictions. Thus, he supervised the sentence handed down under the authority of the *justicia* of Borja on two Christians and a Muslim who abducted and sold a free Jew, and was ordered to carry out the king's judgment (which he did reluctantly) against the Oblitas' Christian and Muslim debtors in the same town.⁶⁹ When the *justicia* of Tudela illegally seized the female slave of a Christian from Calatayud, it was the *superiunctarius* who was despatched to Navarre to set things right.⁷⁰

As a functionary Alamannus perceived his principal loyalties as lying with the king. Thus, although he was a member of the middle nobility of Aragon, and had married into the influential Gotor family, he nevertheless remained loyal to Alfons II during the *Uniones*, faithfully holding the castle of Borja, which lay in the lands of the rebellious Luppus Ferrench de Luna.⁷¹ His grant of the towns of Bospén and Piracés as an *honor* in exchange for the provision of two cavalymen in 1287 may have been a reward for this service.⁷² But Alamannus de Gudal was no mere creature of the king; he was a man who also had his own affairs to tend and, typically, these intermingled with his official duties. Thus, the *superiunctarius* diversified by investing in tax-farming ventures, and by acquiring fiscal rights over individual locales and *aljamas*. In 1285, for instance, he purchased the rents for the royal monopolies over public utilities in Alagón from Muça de Portella, including the tolls, olive press, butcher shops, and market, and in 1289, he defended his fiscal rights over the locale and

⁶⁷ ACA, C., reg. 90, f. 275v (24 January 1292). For the robbery, see p. 220.

⁶⁸ ACA, C., reg. 56, f. 62v (15 April 1285). For the murder, see p. 230, n. 91.

⁶⁹ ACA, C., reg. 90, f. 69v (10 October 1291); ACA, C., reg. 96, f. 137v (20 November 1293).

⁷⁰ ACA, C., reg. 41, f. 113r (2 August 1279).

⁷¹ P. Garcés de Cariñena and J. Zurita, *Nobiliario de Aragón*, ed. M. I. Ubieto Artur (Zaragoza: Anubar, 1983), p. 98.

⁷² Sinués and Ubieto, *El patrimonio real*, pp. 101, doc. 503 and 238, doc. 1433 (for the grants), 111, doc. 578 (for Borja). It seems that he had previously (until 1282) held Brea: *ibid.*, p. 114, doc. 601.

Case study 6

aljama of Urrea de Jalón.⁷³ In 1290 he took on Egidius Bidaure, who had attempted to usurp his “possession” of the town of Brea. When Alamannus won the case, Egidius was ordered to relinquish the town and the local Muslims were reminded that they were to pay all of their taxes to the *superiuncatrius*.⁷⁴ Such potential conflicts of interest did not concern the king; in fact, officials’ entitlement to dispensations and favor was seen as legitimate recompense for services. Thus, Jaume II remitted by “special grace” (“*de speciali gratia*”) the normal one-third property-sales tax that Mahomet Almoheni of Zaragoza would have been required to pay when he sold some houses to Alamannus, savings which were undoubtedly passed on to the official by a reduction in the sale price.⁷⁵ And despite his role as a protector of the Temple’s Muslim vassals vis-à-vis renegade nobles, he himself was not above aggrieving them, as is demonstrated by a royal order for the return of one of the Temple’s Muslim vassals in Monzón, whom he had arrested.⁷⁶ Likewise, when he stepped in to protect Hamet of Borja and his wife from Luppis Ferrench de Luna in 1290, instead of returning the property which the magnate had taken from them, he helped himself to it (“*spoliavit*”).⁷⁷ Earlier that year the Muslims of Alfamen had complained that he had fined them for an act of rebellion in which they had not taken part.⁷⁸

As the voice of royal law in the *superiunctaria* of Tarazona, Alamannus embodied all the ambiguities of royal power: for his Muslim subjects he was a both protector and an exploiter, bound by the law yet capricious, but above all an individual charting his own course through the multi-confessional society of the Crown, adjusting his behavior in accordance with the opportunities which were presented to him for the furthering of his own complex set of agendas. Unlike the majority of his fellow administrators, Alamannus seems to have succeeded in toeing the line of legitimacy for over three decades, avoiding excesses which would provoke his impeachment and the machinations of rival courtiers: all the indications are that he died with his administrative boots still on.⁷⁹

⁷³ ACA, C., Alfons II, pergs., no. 47 (25 February 1285); ACA, C., reg. 81, f. 48v (13 March 1289).

⁷⁴ ACA, C., reg. 81, f. 49v (9 March 1290). Alamannus and Egidius were old rivals (see p. 377).

⁷⁵ ACA, C., reg. 115, f. 77r (13 October 1297).

⁷⁶ ACA, C., reg. 74, f. 16v (10 November 1287).

⁷⁷ ACA, C., reg. 81, f. 220r (11 December 1290).

⁷⁸ To be fair, the document does not indicate whether the community was fined as a result of a judgment by Alamannus de Gudal, by the king, or by some other official: ACA, C., reg. 81, f. 145r (5 August 1290).

⁷⁹ In 1308 Jaume reassigned the portion of the tax levy of the Muslims of Alagón which had formerly been paid to Alamannus, who is noted as deceased. As the tax was charged annually, this would indicate that the *superiunctarius* had died some time within the previous twelve months: ACA, C., reg. 267, f. 144v (16 May 1308), cit. BMA, pp. 409–410, doc. 1146. Alamannus had received

Christian officials in the Ebro region

SUBORDINATES AND INSUBORDINATION: NON-MUSLIM OFFICIALS IN MUSLIM AFFAIRS

While the wedge of conflicting interests driven between the *mudéjares* and the Crown was widened by the presence of intermediaries such as *merini* and *baiuli*, it was further exaggerated when these Christian officials appointed their own intermediaries. For example, the complaints associated with Ennegus Luppi's tenure in Huesca resulted from not only his own action, but also that of his lieutenant, the *subbaiulus* Sancius Petri de Lupiyen, who allegedly aggrieved the *aljama* in Christian-Muslim civil cases.⁸⁰ Whether as a result of these tensions or from wider abuses, the local Muslims rose up against the deputy, and in February of 1294 a group of more than eighty suspects were absolved for the assault of the *subbaiulus*, after they had paid a fine of 1600 *solidi*.⁸¹ Similarly, the *aljama* of Almonacid de la Cuba suffered indirectly from the negligence of Egidius Tarini when his deputy there, Eximenus Cornelli, borrowed money on the strength of the Muslim community. When Cornelli tried to shirk his debts, the creditors came after the *aljama*.⁸² Christian officials, like their Muslim counterparts, normally paid for posts which were farmed out. Their interests, therefore, were economic, and lay in recouping their rent and making a profit, a characteristic which can scarcely have encouraged a spirit of service to their subjects, irrespective of religion. The contention that official abuses arose more out of the relationship between official power and personal interests than out of a dynamic of Christian domination or sectarian allegiance is supported by the fact that the Jewish officials who occupied administrative posts in the Crown behaved in generally the same manner as their Christian and Muslim counterparts. Powerful Jewish officials, like Jahudano de Caualleria, Muça de Portella, and their successors provoked a similar range of complaints.⁸³

It is clear that the Christian and Jewish royal officials who acted as intermediaries between the kings and their Muslim subjects performed a collective role which was no less important in thirteenth-century *mudéjar* life than that of the king themselves. Not only did they regulate the manner in which royal policies were put into practice, but through their

the right to collect this money in 1301 as a sign of Jaume II's favor ("de nostro beneplacito uoluntario"): ACA, C., reg. 198, f. 347v (26 September 1301), cit. *ibid.*, p. 242, doc. 657.

⁸⁰ ACA, C., reg. 89, f. 123r (10 August 1295).

⁸¹ ACA, C., reg. 88, ff. 162v–163r (24 January 1294). Some of the suspects subsequently refused to pay their share of the fine: ACA, C., reg. 88, f. 168v (12 February 1294).

⁸² ACA, C., reg. 57, f. 220r (28 October 1285).

⁸³ Jewish administrators have been studied extensively by Romano. See, for, example, "Cortesianos judíos en la Corona de Aragón," "Los hermanos Abenmenassé," and *Judíos al servicio de Pedro el Grande*.

Case study 6

personal administrative diversity, and their own contacts and rivalries with other officials, they composed the governmental frame on which the various administratively autocephalous Muslim communities hung. As their jurisdictions typically crossed sectarian lines, they also acted as an important force promoting the cohesion of the realm, acting as a catalyst for ethno-religious integration. The role of these officials, and of the noblemen and ecclesiastical figures with whom they found themselves competing and cooperating, is a theme which has a profound importance in forming an accurate conception of the *mudéjar* experience, and is a subject which merits further investigation.

PERSONAL HISTORIES:
THE INDIVIDUAL, WITHIN THE
COMMUNITY AND BEYOND

The preceding case studies present a perspective distinct from that of the second Part of this work, and reinforce the assertion that although religious identity was a “hard” form of social differentiation, it did not present an impenetrable barrier to interaction. Each individual participated simultaneously in a number of communities of different types: religious, “parochial,” commercial, professional, contractual, familial, household, local, municipal, and “national.” In a given set of circumstances one’s sense of belonging or the perception of one’s self-interest might have lain most heavily in any one of these. Thus, the direction of individual action was determined according to each situation, in response to a complexity of interests, circumstances, and opportunities. Range of action was restricted or channeled according to the social, economic, and administrative structures of the heterogeneous and vertically sectioned, sectarian society of the Crown.¹ In most cases individuals must have reacted without sparing a thought for the processes that led them to make their choice of action, except when they felt the need to rationalize or excuse what might be perceived by themselves or their neighbors as a moral compromise. An accurate assessment of the relationship between the Christian and Muslim communities of the thirteenth-century Crown must take into account both the forces of the community and the caprice of the individual.²

¹ If social classes can be imagined to cut society “horizontally,” sectarian divisions, like castes, would be seen as “vertical,” dividing society into groups which include members of various classes.

² See Geertz’s reflections in *Interpretation of Cultures*, p. 37.

Conclusions

MUDÉJAR ETHNOGENESIS

ce n'est point la forme, soit du corps, soit de ses parties, qui donne lieu aux habitudes et à la manière de vivre des animaux; mais . . . ce sont, au contraire, les habitudes, la manière de vivre, et toutes les autres circonstances influentes qui ont, avec le temps, constitué la forme du corps et des parties des animaux. Avec des nouvelles formes, des nouvelles facultés ont été acquises, et peu à peu la nature est parvenue à former les animaux tels que nous les voyons actuellement.

Jean-Baptiste Lamarck¹

the person who moves through different pluralities in a pluralistic society functions in different modes, even simultaneously.

R. D. Laing²

The Christian domination of the Ebro was not achieved in any profound sense with the surrender of the region in the late eleventh and early twelfth centuries. On the contrary, the military conquest initiated a process of social evolution and cultural transformation which continued until the eventual expulsion of the *moriscos* in the seventeenth century. The initial period of occupation was marked by a willingness on the part of the Christian powers to extend far-ranging autonomy to the conquered peoples, who became tributaries, and as the demographic balance shifted in the Christians' favor, and the Crown developed more sophisticated legal and administrative apparatus, the Muslims were gradually drawn into "Occidental" institutions as participants and subjects. Thus, the Islamic society of the region was not destroyed by the conquest, but had re-emerged as a *mudéjar* society by the thirteenth century.

¹ "it is not the form, either of the body or its parts, which gives rise to the habits and the way of life of animals; on the contrary, it is the habits and the way of life and all of the other influencing circumstances which have in time, given shape to the form of the bodies of animals and their parts. With new forms new faculties were acquired and, bit by bit, nature has come to form the animals such as we see them today": J.-B. Lamarck, *Philosophie zoologique* (Paris: Flammarion, 1994 [1809]), 1.7, p. 237.

² R. D. Laing, *The Politics of the Family* (London: Tavistock Publications, 1969), p. 12.

The conquest itself did not consist of a single act of domination, but a bundle of changes in the administrative, judicial, fiscal, economic, linguistic, social, and cultural spheres, and it was precisely because Christian and Islamic institutions were founded on such radically differing principles that it did not provoke the automatic destruction or “subordination” of the latter. In any event, in the twelfth century the Christians were not sufficiently organized or numerous to impose their political and economic structures on the Muslims.³ Reflecting Rothstein’s paradigm of social structural change for systems of “low compatibility,” *mudéjar* society maintained institutions in “coexistence” in instances of “low coercion,” and developed new patterns of social organization in instances of “high coercion” on the part of the Christians.⁴ Although coercion is often manifested actively through aggressive policies of domination, in the Ebro it tended to be passive, resulting from structural incompatibility rather than deliberate compulsion. Hence, the *shirka/exaricus* structure survived because there was little pressure for it to change; tax structures, on the other hand, did not, due to their fundamental incompatibility with the dominant Christian system. Conversely, the stable socio-economic situation of the Muslims encouraged certain compromises on the part of the conquerors. If each group “strove to maintain a social order compatible with its way of life prior to contact,” as Liberson contends is typical in situations of ethnic contact, *mudéjares* may have enjoyed an early advantage due to the Christians’ relative underdevelopment.⁵ Indeed, the atmosphere of *entente* within which the two cultures apprehended each other during the first century of Christian domination was the essential factor in determining the character of Aragonese and Catalan *mudejarismo* in the centuries to come.

THE EBRO VALLEY AND THE KINGDOM OF VALENCIA

The character of the *mudéjar* experience in the Ebro presents a marked contrast to the dynamic of Christian–Muslim interaction in Valencia.⁶ The Ebro region did not see a single “ethnic” uprising or episode of Islamic-based resistance to Christian rule, whereas Valencia was won only after a drawn-out campaign which was followed, in turn, by a prolonged

³ For the dynamic of institutional subordination, see S. Liberson, “Theory of Race and Ethnic Relations,” *American Sociological Review* 26 (1961): 904.

⁴ D. Rothstein, “Culture Creation and Social Reconstruction: The Socio-Cultural Dynamics of Intergroup Contact,” *American Sociological Review* 37 (1972): 673–674.

⁵ Liberson, “Theory of Race and Ethnic Relations,” p. 903.

⁶ See also B. A. Catlos, “The Ebro Valley and Valencia: Mudéjar Experiences Related, Distinct,” *Revista d’Història Medieval* 12 (2002): 293–300.

Conclusions

period of rebellion. This difference cannot be accounted for merely by the argument that most of the *'ulamā'* of the March had fled to Valencia, taking Islamic learning and the militant spirit with them, as some might suggest. Islam in the Ebro was not dealt a death-blow by the Christian occupation; it persevered, both on popular and official levels. Further, the porous Valencian border did not act as a barrier to prevent savants or agitators from contacting their coreligionists elsewhere in the Crown. Nor were the Muslims of the Ebro incapable of armed insurrection, as their military activity confirms.

The difference between the two colonial experiences lies in the way Muslim and Christian societies approached each other, and in the circumstances of each region's conquest. Burns suggests that Christians in Valencia felt beleaguered and outnumbered by their Muslim neighbours, and he sees this reflected in their eschewal of Muslim architectural styles in contrast to the Aragonese, who embraced *mudéjar* building styles without compromising their identity.⁷ Indeed, demographic balance must have played a key role. In the Ebro, by the early thirteenth century the Christian population was sufficient to make domination a social fact, while Muslims were numerous enough to feel secure, but few enough to have to recognize the Christian presence as more than a token of domination. The Muslims did not respond defensively to domination because they remained a key source of the region's economic vitality. Their own institutions were recognized to their satisfaction, and they were able to negotiate their terms of subjugation on an ongoing basis. In Valencia, on the other hand, the Christian presence was largely limited to garrisons and self-contained communities living alongside, rather than together with, Muslims. According to Smith, when a minority is politically dominant, "the structural implications of cultural pluralism have their most extreme expression, and the dependence on regulation by force is greatest" – a situation reflected in the resentment and rebellion which characterized the Valencian experience.⁸ When rebellions did occur, the Christian authorities responded with determination, effecting a series of displacements which, in Guichard's analysis, ruptured the "tributary society" of Islamic Valencia.⁹

The relative underdevelopment of Christian administration at the time of the Ebro conquest also distinguishes that zone from Valencia. Secular and religious institutions were developing as they absorbed those new

⁷ R. I. Burns, "Muslims in the Thirteenth Century Realms of Aragon. Interaction and Reaction," in *Muslims Under Latin Rule, 1100–1300*, ed. J. M. Powell (Princeton University Press, 1990), p. 98.

⁸ Smith, "Social and Cultural Pluralism," p. 572.

⁹ P. Guichard, *Al-Andalus frente a la conquista cristiana. Los musulmanes de Valencia (siglos XI–XIII)* (Valencia: Universitat de València, 2001), pp. 613–646 and 647–656.

territories, and were therefore disposed to make concessions which would not have been made in the thirteenth century. Nor did these institutions present the aggressive front in the twelfth century which they would later. The parish network, which coalesced well after the earlier conquests, presented “a social and religious combat front” in Valencia, whereas in the Ebro valley ecclesiastical institutions – the monasteries and Military Orders of the Ebro – worked as willing partners with their Muslim subjects.¹⁰

The physical integration of Christians and Muslims as neighbors and partners in irrigation and agriculture would have fostered further accommodation. In New Aragon and Catalonia, economic integration in local markets and in land tenancy put Christian and Muslim individuals in situations in which their goals coincided, and in which mutual benefit demanded cooperation. As *mudéjares* were drawn into the Christian economy and administration, secondary effects must have rippled through their society; and elements such as family structure and relationships of informal authority cannot have remained unaffected. The undermining of Arabo-Islamic authority structures, for example, would have provoked competition of other elements with the traditional leadership, thus devaluing religious power and agnatic family structures as unifying factors.¹¹

A parallel of the Ebro–Valencia dichotomy can be found in the modern Middle East, in the differing responses to Israeli colonialism on the part of “Arab Israelis” and the Palestinians of what were recently known as the “Occupied Territories.” Arab Israelis, who came under Israeli political control with the founding of the country, responded very differently to their situation than did their countrymen who came under occupation as a result of conquest. Although subjected to serious restrictions of liberty and social and administrative marginalization based on their ethnicity, Arab Israelis adapted by learning Hebrew and participating in society and government to the degree which regulations and social conditions permitted.¹² The inhabitants of the “Territories,” on the other hand, reacted very differently to Israeli domination. Absolutely marginalized, under military rule, confronted by armed settlers, and lacking in essential services, they comprised an overwhelming majority excluded from even the pretense of participation in the state. It was these people who

¹⁰ Burns, *The Crusader Kingdom of Valencia*, p. 54.

¹¹ According to Landau, Israeli “modernization” has led to a “decline in the social and political status of religion” in Arab society on this basis: J. Landau, *The Arab Minority in Israel. 1967–1991* (Oxford: Clarendon, 1993), pp. 24–25.

¹² This was certainly the case until the *intifada* of 2000; since that time Israeli Arabs have been increasingly drawn into anti-Israeli resistance.

Conclusions

responded most eagerly to their situation with the popular resistance of the *intifada* and the religiously informed violent activism of organizations like *Ḥamās*.

CATAclySM VERSUS CONTINUITY

The conquest and domination of the Muslims of the Ebro may have been catastrophic in sectors – but it can hardly be described as generally “cataclysmic,” and the suggestion that Islamic society was “destroyed” as a result can only be accepted if one accepts a stiflingly narrow definition of what comprised that society.¹³ Structures which typified the *Thaghr* and subsequently disappeared, such as the *ḥiṣn/qarya* settlement pattern and tribal consciousness, were not essential characteristics of an Islamic society. If Laliena and Sénac ask rhetorically whether the Muslims of the thirteenth century were still Andalusis, the answer is certainly “no,” but the question is hardly relevant. Despite the changes precipitated by the conquest *mudéjares* continued considering themselves Muslims, occupying their ancestral lands, and living according to what they recognised as Islamic law and institutions. They spoke Arabic, participated in culture distinct from that of their Christian neighbors, and continued to inhabit a wider Muslim world. The shock which Andalusī society sustained in the Ebro was far gentler than that of many other dominated peoples through history.

Nor does evidence for the acculturation of *mudéjares* put their identity in doubt. The adaptation and the use of Romance and Latin would not have entailed a dilution of Arabo-Islamic identity; linguistic boundaries do not equal ethnic boundaries, however frequently they seem to coincide. Ethnicities can survive multilingual environments and diaspora, and ethnic divisions can persist even as the expressions of ethnic identity (language, customs, costume, and religion) change or cease to serve as means of group distinction.¹⁴ Nor does acculturation necessarily undermine identity.¹⁵ Culture is not a zero-sum-game, and *mudéjares* participated concurrently in their own culture and that of the Christian Crown. If we accept ethnic groups as largely biologically self-perpetuating, sharing fundamental cultural values realized overtly in a unity of cultural forms, making up a field of communication and interaction, and of having a

¹³ See Sénac's comments, quoted on p. 118, n. 192.

¹⁴ R. LeVine and D. Campbell, *Ethnocentrism: Theories of Conflict. Ethnic Attitudes and Group Behaviour* (New York: John Wiley, 1972), pp. 86–7; H. Siverts, “Ethnic Stability and Boundary Dynamics in Southern Mexico,” in *Ethnic Groups and Boundaries. The Social Organization of Cultural Difference* (Boston: Little, Brown and Company, 1969), p. 105.

¹⁵ F. Barth, ed., *Ethnic Groups and Boundaries. The Social Organization of Cultural Difference* (Boston: Little, Brown and Company, 1969), p. 9.

Mudéjar *ethnogenesis*

membership which identifies itself and is identified by others as constituting a separate category, then we must recognize that the Muslims of the Ebro continued to comprise a distinct ethnic group, even at the end of the thirteenth century.¹⁶

AMBIGUITIES OF ETHNIC IDENTITY

Because ethnic categories “provide organizational vessels” varying in form and amount of content, they are not necessarily pervasive.¹⁷ They reflect imprecise divisions made by ethnographers: they are taxonomical, rather than substantial.¹⁸ Once one admits that such categories depend less on overt behavior than on the value system according to which the individual wants to be assessed, apparent contradictions cease to be problematic.¹⁹ The red-haired Hungarian Bakshīr whom the geographer Yāqūt encountered in Aleppo around 1228 described his people as saying,

We are Muslims, subjects of their king, and live on the border of his territory . . . But the king of the Hungarians does not allow us to build walls around [our towns], lest we should revolt against him . . . Our language is the language of the Franks, we dress after their fashion, we serve with them in the army, and we join them in attacking all of their enemies, because they only go to war with the enemies of Islam . . . We have come to this country to study the law; when we return to our own land, the people will do us honour and put us in charge of their religious affairs . . .²⁰

The Muslims of the Crown comprised a “non-assimilating minority,” who were not concerned with the greater objectives pursued by the state in which they lived, but did not necessarily reject the social values or cultural manifestations of the dominant society as a result of their religio-cultural distinctness.²¹ The bipolarity of *mudéjar* identity was no more exceptional than had been the “bicephalous” ethnic identity of the people of the *Thaghr*, or that of any number of other peoples in the Middle Ages.

LeVine and Campbell remind us that people can be inconsistent even in classifying themselves.²² Thus, individuals of the medieval Ebro region

¹⁶ Narroll's definition is cited *ibid.*, pp. 10–11. ¹⁷ *Ibid.*, p. 14.

¹⁸ LeVine, *Ethnocentrism: Theories of Conflict*, p. 84. ¹⁹ *Ibid.*, p. 15.

²⁰ Excerpt from Yāqūt al-Ḥimawī's *Mu'jam al-Buldān*, translated in T. W. Arnold, *The Preaching of Islam. A History of the Propagation of the Muslim faith* (London, Luzac: 1935 [1898]), p. 194.

²¹ See M. A. Tessler, “The Identity of Religious Minorities in Non-Secular States: Jews in Tunisia and Morocco and Arabs in Israel,” *Comparative Studies in Society and History* 20 (1987): 359–373.

²² LeVine, *Ethnocentrism: Theories of Conflict*, p. 92.

Conclusions

often chose non-sectarian terms to interact with each other. Stewart's tripartite social model is an appropriate one for understanding the role of sectarian identity in the Crown. At the bottom there were local groups, such as households, neighborhoods, and communities, which he characterizes as "vertical." Groups which may appear in local communities or which arise out of common qualities in geographically dispersed members, including occupation, class, caste, race, or special interest, represent "horizontal" divisions, or "segments." Finally, like the "bones, nerves and sinews running through the total society, binding it together and affecting it at every point" are the institutions of central authority: official doctrine, "national" institutions, and law.²³ Given that each individual might identify him or herself on a number of "horizontal" and "vertical" planes, the power of religious identity as a determinant of individual action or group cohesion should not be given pride of exclusivity.

Even the enshrinement in law of the religious community as the primary criterion of identification in the medieval Crown did not preclude other modes of social cohesion based, for example, on region or class. Common interests among members of different faiths, such as the peasants' goal "of working the system to their minimum disadvantage," could lead to an alignment of interests and to cooperation which ran contrary to religious divisions.²⁴ Thus, the tax system of the Crown prompted resistance, either armed or litigational, which frequently united Muslims and Christians. In addition, "hinge groups," consisting of merchants and administrators who inhabited a space between the isolated local world of their community and the wider world beyond, had interests which frequently ran contrary to those of their coreligionists and induced them to cooperate with members of other groups.²⁵ Nevertheless, sectarian identity did place constraints on the roles an individual was allowed to play, and the partners which could be chosen for different transactions.²⁶ This was most obvious in the realm of social and sexual contact, but was also a factor in legal and administrative spheres. The least flexible criterion of identification, religious identification, had a concrete quality which class and parochial structures lacked.²⁷

²³ J. Stewart, *Area Research. Theory and Practice* (New York: Social Science Research Council, 1950), p. 115.

²⁴ E. J. Hobsbawm, "Peasants and Politics," *Journal of Peasant Studies* 1 (1973): 12.

²⁵ Redfield characterizes as "hinges" the individuals who connect the disparate worlds of peasant society: *Peasant Culture and Society*, p. 27.

²⁶ Cf. Barth, *Ethnic Groups and Boundaries*, p. 17.

²⁷ See E. A. Thompson, *The Goths in Spain* (Oxford: Clarendon, 1969), p. 149; "parochial" refers here to a discrete locale of habitation.

MUDÉJAR MARGINALIZATION

Because orthodox religion was the foundation upon which morality and law were erected in the Middle Ages, religious diversity was difficult for adherents of the dominant faith to endure. The admission, let alone the integration, of members of a rival and therefore threatening orthodoxy tacitly implied the admission that one's own moral system and religious beliefs did not have universal validity. In the analysis of the place of Muslims in Aragonese society, modern notions of "tolerance" as an enlightened virtue must be cast aside as anachronistic. But, while simple bigotry did come into play, many of the laws delineating Muslims as a special group were merely the necessary results of the accommodation of two moral systems.²⁸ Of these systems the Latin Christian was dominant; Catholicism was the religion of those who made the laws, and it comes as no surprise that in matters of contention or contradiction Christian laws were given precedence. The legal place afforded to Muslims resulted from efforts to grapple with the challenges and inconsistencies of diversity while yielding to the demands of expediency. While this process of compromise took place within an atmosphere of unabashed and unreflective chauvinism, it was a chauvinism which corresponded to *mudéjares'* expectations.

The issue of the swearing of oaths was a major factor in the formulation of Christian–Muslim legal relations, and illustrates well the compromise which Christian lawmakers were driven to make. If for example, an infidel were to swear an oath according to his (at best) misguided or (at worst) diabolically inspired faith, this could not be held to have any value. Only his intentions might be vouched for. At the same time, having a non-believer swear according to the true religion would invite hypocrisy and debase the faith. Thus, even in transactions involving Christian parties, Muslims were bidden to swear Islamic-style oaths in Arabic, sometimes with the added specification that this be done at a mosque.²⁹ Oath-taking was fairly straightforward, and accommodating heterodoxy in that context did not entail great compromise. On the other hand, when Muslims were drawn into activities which were imbued with Christian ritual, be this paying taxes to the Church or joining guilds and confraternities, tensions could and did arise.

When tasks are arranged in a hierarchy of social formality and moral complexity, a parallel hierarchy of ritualization can be perceived.³⁰ As

²⁸ Three, in fact, when one takes into account the Jewish population.

²⁹ See, for example, Catlos, "*Secundum suam zunam*," p. 18.

³⁰ Geertz remarks, "Religious concepts spread beyond their specifically metaphysical contexts to provide a framework of general ideas in terms of which a wide range of experience – intellectual,

Conclusions

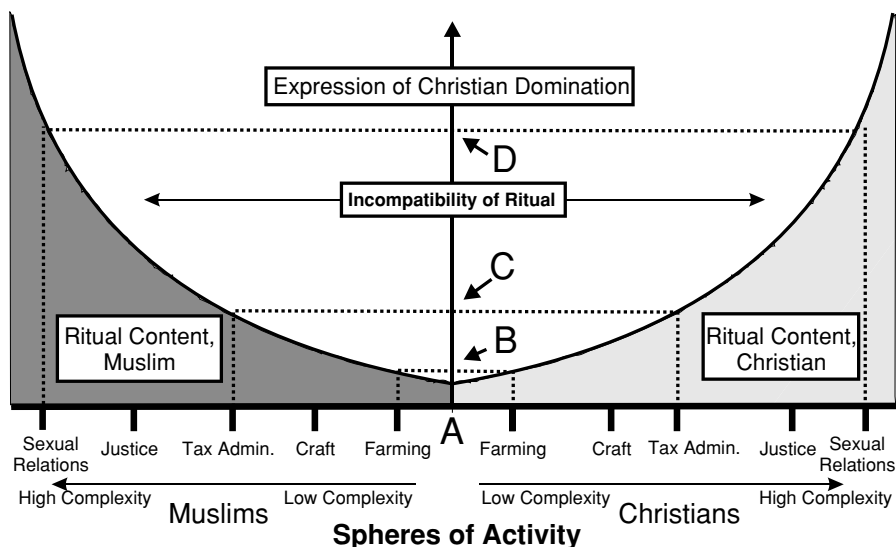


Figure 2: Ritual incompatibility by sphere of activity

social ritual in this period was invariably informed by religious language and symbolism, the Christian and Islamic systems would have become less compatible the more complex or formal the task in which they interacted. The schematic diagram (fig. 2) illustrates how Christian and Muslim ritual diverge as the “complexity” of tasks increases. In a situation of low divergence, formal ideological compromise is not problematic, while at the highest level it is impossible.³¹ Administering and managing a plot of land, for example, involved little ritual or ideological content (perhaps oath swearing at the outset). Therefore, it was not problematic and required a low expression of Christian domination (A–B). On the other hand, judicial administration implied some reference to a religiously defined moral system and to a hierarchy of power justified either directly or immanently on theological terms. In such mid-complexity activities, the institutions which developed (e.g. the judicial and tax administration of the Ebro region) “attained the status of being common knowledge” – mutually recognized administrative and social conventions – and

emotional, moral – can be given meaningful form”: “Religion as a Cultural System,” in *Anthropological Approaches to the Study of Religion*, ed. M. Banton (London: Tavistock Publications, 1966), p. 40.

³¹ It should be noted that some activities (e.g. meat processing) had a strong ritual component for some groups (in this case Muslims and Jews) but not for others (here, Christians); the imbalance of ritual was not always symmetrical.

therefore had force by virtue of their popular recognition.³² Thus, only moderate coercion was necessary (A–C). Finally, highly ritualized activities, such as the practice of licit sexual relations, could only be carried out in the context of absolute and explicit domination of the stronger party (A–D). In other words, behavior in low complexity activities could be governed by universally acknowledged social norms, but more complex activities, in which the moral consensus between Muslims and Christians faded, demanded more ritual content and required stricter (Christian) regulation.³³

Thus, Muslims' juridical rights and legal personality were limited: they were theoretically forbidden hold offices of authority or represent Christians in court. But these restrictions did not develop as a response to the *mudéjar* presence: they arose as a corollary of the notion that only a responsible Christian could enjoy all of these privileges. Muslims were marginalized to a great extent because they were *not* Catholic Christians.

On the other hand, the marginalization of a group does not entail the marginalization of every member of that group, and while most Christians were better off than many Muslims, many Muslims were better off than most Christians, acquiring wealth, influence and success both within the *mudéjar* community and the greater society of the Crown. Figure 3 illustrates how the comparatively few Muslims at the high end of the *mudéjar* economic scale (categories 1 through 6), were wealthier than a significant portion of the Christian population (groups 1 through 3). Cultural and social divisions do not correspond to social or economic strata.³⁴

MUDÉJAR INTEGRATION

Royal protection was the flip side of the official marginalization to which non-Christians were subject. All Muslims were, in principle, juridically dependent on the king, a status which provided them with protection from the abuses of lords and from their fellow subjects, and afforded them the opportunity to appeal directly to the royal court when they felt their rights were being infringed. In fact, they availed themselves of

³² See P. A. David, "Why are Institutions the 'Carriers of History'? Path Dependence and the Evolution of Conventions, Organizations and Institutions," *Structural Change and Economic Dynamics* 5 (1994): 205–220.

³³ This principle is analogous to the "transactions cost approach" to explaining the internal organization of economic entities: essentially, when the "costs" (here, moral costs) of a transaction are low the role of institutions is minimal, whereas when the costs are high or when contract enforcement becomes problematic, deliberate "institutional mechanism design" is called for and new enforcement institutions must be put in place. (See David's discussion, *ibid.*, p. 206.)

³⁴ Smith, "Social and Cultural Pluralism," p. 73.

Conclusions

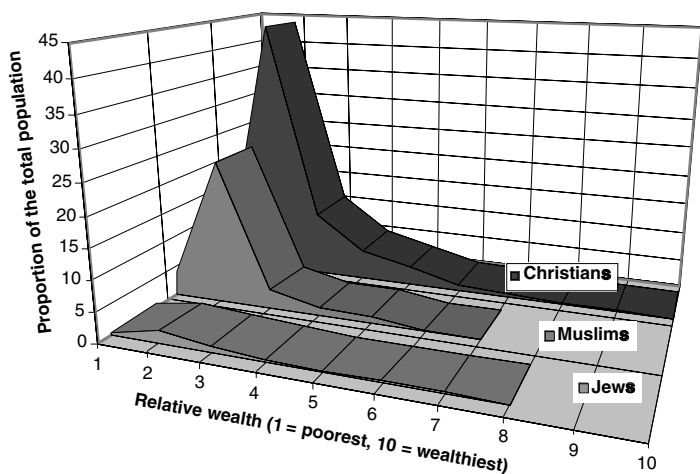


Figure 3: Religious affiliation and individual wealth in the late thirteenth-century crown

this recourse frequently; farmers, slaves, and officials all journeyed to the royal court or sent their agents to register petitions.³⁵ By maintaining the *mudéjares* as special and direct subjects, their “royal treasure,” the kings drove a wedge into local seigniorial power, and maintained a monopoly of control over the tax revenues of a significant portion of the population. In addition to royal protection, Muslims also benefited indirectly from the highly decentralized administrative character of the Crown, and the fact that policies were implemented by a wide gamut of nobles, clergymen, and officials. These individuals frequently had personal interests in protecting their Muslim charges, and could be counted on to defend them against hostile resolutions. Thus, *mudéjares* enjoyed a certain protection from the effects of individual or ideological prejudice: churchmen, organizations, nobles, or kings who would act against them were subject to resistance on the part of Christian intermediaries whose own interests resided in maintaining the prosperity of *mudéjares* to whom they were linked.

It would be interesting to know how far Muslims *felt* marginalized under Christian power. As a group which was defined in many ways as

³⁵ The distribution of wealth in this figure is based on the assumption that the bulk of the population (rural agricultural producers) was not destitute (group 1) but subsisted within a narrow margin (group 2).

³⁶ It is amazing not only how Muslims of the most humble means successfully accessed the royal court, but also how this often involved a journey of great distance. Petitions from Muslims of the Zaragoza region, for example, were received by the kings when they were as far away as Barcelona or Valencia or on campaign.

“foreign,” they could not have imagined themselves as full “citizens,” and it is likely that they lacked “sentimental attachment” or a sense of belonging to the Christian Crown.³⁷ On the other hand, feelings of marginalization would depend on expectations; coming from a culture which also conceived of peoples in terms of the religious law which they followed, Muslims would have appreciated why they were subject to limitations. Having accepted their secondary status as normal, they would not have been overburdened by a sense of oppression. On the other hand, although the sources for this period, by their nature, do not disclose it, Muslims were undoubtedly subjected to low-level discrimination and prejudice of the day-to-day kind, which seems to be the inevitable by-product of diversity. *Mudéjares* were a distinct ethnic group, distinguished from the Christian minority by customs, language, and law; and although interaction may have normally been smooth, in times of economic, emotional, or political tension, or in scenarios of competition or insecurity, they must have suffered humiliating reminders of their secondary status.³⁸ Such attitudes, however, were rarely supported by official institutions.³⁹ And in any case, *mudéjares* also recognized their rights, and when they considered these to have been violated, they did not hesitate to complain or resist. Most significantly, Muslims could vote with their feet, and the fact that emigration out of the Crown was low and that Muslims from abroad continued to settle here shows that they felt they had opportunities which were at least equal to those of the *dār al-Islām* in this period.

The most significant adaptation which *mudéjar* society was forced to make concerned the role of religious authority and Islamic law in the administration of tax, justice, and personal affairs. On the practical level, judicial authority was undermined by the higher prestige of the Christian system and wider jurisdiction, and it encroached on matters which under Islamic law (for example, sex, marriage, divorce, and conversion) were linked to essential expressions of Muslim belief. In addition, Islamic justice lost much of its executive aspect. Unlike their coreligionists who lived

³⁷ See N. N. Rouhana's comments regarding the “incomplete” nature of modern Arab Israeli identity, in which socio-cultural, political, and formal-legal layers are not bound by sentimental attachment: *Palestinian Citizens in an Ethnic Jewish State* (New Haven: Yale University Press, 1997), pp. 217 and 218.

³⁸ Bartlett characterizes “customs, language and law” as the “primary badges of ethnicity” in the Middle Ages (*The Making of Europe*, p. 197). In the medieval Crown it was, in fact, law which was held to be the essence of nationhood.

³⁹ A rare example of officially sanctioned marginalization is seen in the *Costums* of Tortosa, which permitted *serui* and *captiui* to slander Jews and Muslims with impunity: Massip, *Costums de Tortosa*, p. 420, sec. 9.4.4. This was a local particularity; slaves in the *raval* of Teruel, for example, did not enjoy immunity for insulting Muslims, but were to be judged for the offense according to Islamic law: ACA, C., reg. 20, f. 248v (11 May 1275).

Conclusions

in the Muslim world, *mudéjares* were forced to conceive of themselves as subjects first of the king, and then of God. This was evident in cases where the *shari'a* prescribed capital punishment, in which case Muslim authorities could do no more than hand the transgressor over to the monarch. But the right of Muslim officials to administer lesser corporal punishments was also limited, and even sentences of fines were routinely handed over to Christian officials for execution. Any decision made by an *alaminus* could be undermined through the process of appeal, which a dissatisfied party might bring before a rival official or to a Christian court.

On the other hand, the confusion which resulted from the overlapping competencies of Christian and Muslim officials, coupled with the multiplicity of ill-defined judicial regimens, contributed to social dynamics and situations which defied the formally sectarian definition of legal jurisdictions in the Crown. Thus, at times, Muslim officials found themselves implicated in processes which were not properly under their authority as Islamic judges, or, conversely, found that decisions which they had made were overridden by Christian authorities, either under the pretext of protocol or as a result of the interminable appeals which Muslims engaged in. For their part, Christian, Muslim, and Jewish defendants and litigants often found themselves under the jurisdiction of a court supervised by a member of a rival ethno-religious group and operating according to that community's legal precepts. Where a case fell depended on a whole array of circumstances, including the nature of the offense or dispute, the identity of the other parties, the locale in which it took place, the determination of local officials, and the caprice of the king, meaning that in practice the judicial administration of the Crown did not function according to strictly sectarian criteria (see fig. 4).

INTERNAL TRANSFORMATIONS

The internal mechanisms of Muslim society in the Ebro Valley were also affected by Christian colonization. This can be seen in the conversion of the Islamic administrative offices of the early twelfth century into secular offices for the administration of Muslims by the thirteenth. *Alcaydus* is not simply a Latin translation of *al-qā'id* or *al-qāḍī*, but a word which describes something quite different. The Christianized office was a new form which evolved in response to changes in the administrative, political, and ideological environment. It was not imposed by the Christian conquerors, but developed organically, and the variety of sub-species of *mudéjar* officials reflects the regional particularities of Christian domination. Some Islamic offices, such as the *quḍāh*, were transformed to

Mudéjar ethnogenesis

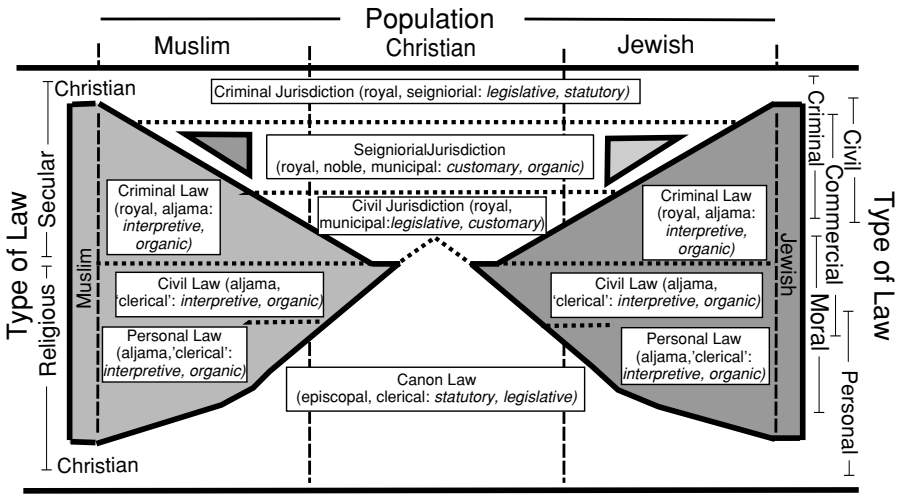


Figure 4: Jurisdictional ambiguities

accommodate the new ideological and administrative climate, and others, like that of the *mulhtasib*, atrophied as their niches disappeared or were displaced by Christian offices.

The Christian appointment of “Islamic” officials also provoked dramatic transformations. The ideological disjuncture of the Muslim community and the highest power, now Christian, resulted in a divergence of interests and the severance of any reciprocal moral influence or sense of consensus between the *aljamas* and their officials. The count-kings were concerned with preserving the Islamic community as a source of tax income; therefore they appointed officials based on the candidates’ ability to maintain the flow of revenue. The fact that these officials’ duties also extended into the field of justice and religion was of secondary concern. Pragmatism, not piety, governed the administration of tax and therefore of justice. A dramatic manifestation of this principle can be seen in the tendency for chronically indebted kings to grant not only wealthy Christians and Jews, but Muslims also, pardons for criminal offenses – a practice which further undermined local Muslim authority and destabilized communities.⁴⁰ Out of all of the “religions of the Book” Islam is perhaps the most legalistic, and the one in which external observation of the law presides most over internal and esoteric aspects of devotion. Therefore, the formal and procedural compromises which Muslims of the

⁴⁰ This dynamic also affected Jews and Christians.

Conclusions

Ebro were forced to make as regards judicial administration reverberated through their society, necessitating profound adjustments both theoretical and practical. In spite of this, however, *mudéjares* seem to have adapted well to these new conditions; crises of credibility in their leadership were not infrequent, but they tended to be tied to concrete abuses, rather than to issues of religious impropriety.⁴¹

The theoretical dilemmas provoked by the subordination of the Muslim judiciary to Christian administration are reflected in the writings of medieval *'ulamā'*. Muslim jurists in al-Andalus and North Africa had been forced to confront the legal problems associated with living under non-Muslim authority since at least the ninth century, and although opinions were not unanimous, most surviving *fatāwā* support the principle that *mudéjares* could not be considered legitimate officials or witnesses. Al-Burzulī of Tunis (d. 1438), for example, decreed that witnesses from Christian-dominated Pantalleria were invalid if they lived there voluntarily, but *mudéjares* of mainland Iberia were legitimate because they had remained in Christian territory out of necessity, rather than choice.⁴² Similarly, al-Mahzūnī of Ifrīqiya declared that Sunni Muslims should not correspond with *quḍāh* from Aragonese Jerba, the inhabitants of which he considered “heretics” (*ahl al-ahwā'*). Ibn 'Arafa of Tunis (d. 1401) focused on the question of legitimate authority, ruling invalid the sentences of *quḍāh* of places like Valencia and Tortosa because the officials in those locales had not been properly invested. As the Granadan 'Iyāḍ b. Mūsā (d. 1148/9) had decreed, such legitimacy could only be imparted by a qualified *imām*, and it followed, therefore, that *mudéjar alcaydī* could have no Islamic authority. This view had also been expressed by al-Māzarī of Mahdia (d. 1141) who, in a *fatwā* concerning Sicilian Muslims, ruled that neither the judgment nor the executive force of a *qāḍī* appointed by a Christian sovereign could be considered legal.⁴³ Still, opinions of foreign *'ulamā'* could not have been of the greatest concern to *mudéjares*, who faced the daily challenges of living with the reality of Christian domination. Whether theologically legitimate or not, for them the power of the *alcaydus* or the *çauaquem* was very real.

MUDÉJAR ETHNICITY

In sum, the *mudéjares* of the late thirteenth-century Ebro participated in a Muslim society which had developed in a Christian milieu. To

⁴¹ Generic allegations of unsuitability tended to emerge only after a series of concrete complaints had been made.

⁴² Lagardère, *Histoire et société en Occident musulman au moyen âge*, pp. 31, doc. 1: 73, 33, doc. 1: 88.

⁴³ *Ibid.*, pp. 38, doc. 1: 121; 139, doc. III: 112; and 458, doc. VII: 151.

borrow Van den Berghe's imagery of biological evolution, the genotype of *mudéjar* society was its Islamic identity, and the environment in which it developed was one of Christian domination. Because this domination was characterized by reciprocity as much as coercion, the resultant phenotype (appearance) of Islamic society embodied traits drawn from both sources: language, religion, and cultural orientation principally from the genotype, and institutional and economic configuration primarily from the environment.⁴⁴ The dynamic of social evolution was characterized by accidental developments tied to specific local conditions as much as by any larger forces which can be explained in terms of an encounter of Christendom and Islam as civilizations: the process was Lamarckian in nature, rather than Darwinian or Spencerian.⁴⁵ The process of social, cultural, and institutional (in effect, ethnic) evolution from which the *mudéjar* society of the thirteenth-century Ebro emerged was stable and self-perpetuating: stable because the reposturing and negotiation between the victors and the vanquished was ongoing and did not provoke extra-institutional reactions (rebellions or pogroms), and self-perpetuating because the social and administrative institutions were self-reinforcing and able to "mold the behaviour of [their] members."⁴⁶ Thus, the existence of complementary mutual expectations contributed to a state of developmental equilibrium, the result of which was a "metastable self-perpetuating system of preferences, expectations, and actions capable of persisting indefinitely."⁴⁷

Mudéjar institutions ranged from adopted or imposed Christian structures, through hybrids, to surviving Islamic ones. Maintaining their own culture and identity, Ebro *mudéjares* can be described as a distinct ethnic group living under conditions sufficiently particular to differentiate them from *mudéjares* of neighboring regions such as the Kingdom of Valencia. Theirs was not a society locked in an irretrievable decline, but one in transformation: one which struck a balance with the dominant group and whose institutions and social and administrative structures showed a marked stability. Was *mudéjar* society in the Ebro unified? It was; although the administrative institutions encouraged localism and internal social

⁴⁴ See P. Van den Berghe, *The Ethnic Phenomenon* (New York: Elsevier, 1981), pp. 6–10.

⁴⁵ Cultural development is like "Lamarckian" evolution, which is rapid and allows organisms to pass on acquired characteristics (those resulting directly from accidental alterations to individuals by virtue of contact with their environment: *ibid.*, p. 6). David sees institutional development as "a path-dependent process of evolutionary improvisation," in which existing structures are transformed to fulfil necessary functions ("Why are Institutions the 'Carriers of History'?", p. 217, referring to S. J. Gould, *The Panda's Thumb* (New York: Norton, 1980).

⁴⁶ K. J. Arrow, *The Limits of Organization* (New York: Norton, 1974), p. 57; see the discussion in David, "Why are Institutions the 'Carriers of History'?", p. 213. Although Arrow was writing specifically on the economics of companies, a corresponding organizational dynamic can be seen in administrative institutions.

⁴⁷ D. Lewis, quoted *ibid.*, p. 210.

Conclusions

stratification, economic and cultural trends maintained ethnic cohesiveness. The fact that there was no formal class differentiation among free Muslims, and that nearly all *mudéjares* participated in an *aljama*, meant that in many senses *mudéjar* society was more unified and cohesive than its Christian counterpart, whose members participated in a range of competing and mutually exclusive institutions and were separated by formal class divisions. The larger society of the Crown was defined by religious identity, but also by other modes of identification, and none of these provided absolutely insurmountable barriers to mutually profitable interaction. Areas of outright competition between corresponding segments of Christian and Muslim society were relatively few, and the resultant lack of economic rivalry helped to maintain a social atmosphere markedly devoid of ideological polemic. Paradoxically, the barriers which precluded *mudéjares* from a fuller participation in the affairs of the Crown prevented them from emerging as a “target” group. Islam within the Crown was not regarded as a threat to the integrity of Christendom, and polemical and missionary efforts focused almost exclusively on Jews and foreign Muslim princes. The community was not isolated, and the contact which many of its members enjoyed with foreign Muslims would have acted to mitigate both cultural “contamination” due to the influence of Christian society and the rigidity which might have resulted from cultural “quarantine.”

In Glick’s five part temporal schema of Christian–Muslim interaction in Spain, the *mudéjares* of the thirteenth-century Ebro fall on the cusp of the second and third periods. Living in a situation of “stabilised plurality,” they were only beginning to feel the effects of the growing rigidity of Christian society with its concomitant pressure to assimilate.⁴⁸ But, valid as it may be for thirteenth-century Valencia, Burns’s assessment of the typical Muslim as “despised for his religion, hated for his ethnic difference, feared for his potential revolt, and marginalised in Christian eyes as inferior . . . as an object of revenue-milking and grudging concessions at best, and of callous harassment and unpunished brutalities at worst” cannot be applied meaningfully to *mudéjares* of the Ebro at this time.⁴⁹

⁴⁸ For this periodization see Glick and Pi-Sunyer, “Acculturation as an Explanatory Concept in Spanish History,” pp. 142–143.

⁴⁹ Burns, “Muslim-Christian Conflict and Contact,” pp. 50–51. In a rather uninspired reaction against an Américo Castro-esque image of Muslim–Christian relations, García Marco sums up the “hecho mudéjar” as a fundamentally economic phenomenon, structured in relations of exploitation. From an ethnic perspective, he maintains, the *mudéjar* was always a source of wealth, either as an item of exchange or as a free or enslaved producer or vassal. It was, he concludes, not a case of *convivencia* but of exploitation: *Comunidades mudéjares de la comarca de Calatayud*, p. 42. Not only does his position show a rather limited view of the nature and range of Christian–Muslim interaction in this period, it is also a misleading statement which would be equally valid if the words “Christian peasant” were substituted for “mudéjar” in the text.

It was later that the atmosphere of Christian–*mudéjar* relations began to take on a more confrontational tone, reflecting both changes in local conditions and the increasingly “global” vision of the Latin West. Factors contributing to increasing ideological rigidity were diverse: internally the Church was grappling with challenges to its hegemony in the increasingly urbanized culture of Western Europe, the Crusades had failed in their goal of liberating the Holy Land, and a new pagan threat – the Mongols – was menacing Europe. In the early part of the century climatic changes brought famine to the continent, and this was followed by the outbreak of the Black Death. In an atmosphere of reaction, heterodoxy came to be seen as increasingly dangerous. Hence, in addition to the various ordinances proclaimed against heresy, the Council of Vienne (1311–1312) expressed an increased preoccupation with Muslims living in Christian lands, and endorsed new limitations on the public practice of their faith.⁵⁰ Beyond Iberia, attitudes to domestic Muslims became less accommodating: the *mudéjar* population of Sicily disappeared and that of Hungary was ordered to convert.⁵¹

In the Crown of Aragon, a shifting of tides may be discerned in the increase of legislation marking boundaries between Christians and Muslims. Dress and hair-style codes came to be enforced more strictly, and the archival records yield an increasing number of prosecutions for miscegenation. But in the lands of the Ebro, local circumstances, such as the protracted “War of the Two Peters,” the effects of the plague, and the economic importance of *mudéjares* served to mitigate marginalizing trends.⁵² At bottom, these domestic conditions exercised the most influence on the *mudéjar* experience; complex and criss-crossing bonds of interest between Muslim and Christian parties sustained *mudéjar* society by virtue of its utility – a case of *conveniencia*, rather than *convivencia*. When the self-exiled ‘ulamā’ of the March called in vain for their countrymen to abandon their ancestral lands, they warned them of the consequences of living under Christian domination: Islam would lose its pride of place over the other religions, *mudéjares* would collaborate with Christians, Islamic norms would be difficult to maintain, Muslim women might marry Christians, and Muslims would imitate Christian dress and language, to finally end up as apostates.⁵³ While these preoccupations

⁵⁰ Clement V (1305–1314) ordered the *ādḥān* (“call for prayer”) to be prohibited throughout Christendom Friedberg, ed., *Corpus iuris canonici*, p. 1180 (Clementinae lib.v, tit. 11).

⁵¹ Arnold, *The Preaching of Islam*, p. 194, and N. Berend, *At the Gate of Christendom*, pp. 237–244.

⁵² The war, between Pedro IV “the Ceremonious” (1336–1387) and Pedro the Cruel (1350–1369) of Castile lasted from 1357 to 1369.

⁵³ ‘Ulamā’ such as Ibn Rushd, Ibn al-Hājj, and al-Wansharīsi maintained that emigration (parallel to the *hijra* of the early Muslims) was mandatory: Fierro, “La emigración en el Islam,”

Conclusions

ultimately rang startlingly true, through the twelfth and thirteenth centuries the *mudéjares* of the Ebro developed a stable society which preserved its identity in the face of Christian domination while participating in the greater society of the Crown – a precarious balance between the victors and the vanquished.

pp. 20–21. In the early fourteenth century Ibn Rabīʿ, a refugee from the Christian-dominated South, promulgated a detailed *fatwā* upholding the moral necessity of emigration. See P. S. van Koningsveld and G. A. Wieggers, “The Islamic Statute of the Mudéjars in the Light of a New Source,” *Al-Qantara* 17 (1996): 19–58.

CURRENCY OF THE THIRTEENTH-CENTURY EBRO REGION

Christian money in the thirteenth-century Ebro was modeled on Roman coinage: the *solidus* (*sueldo*, *sou*), equivalent to one-twentieth of a *libra*, was divided into twelve *denarii* (*díneros*, *diners*). Each of the main constituent territories of the Crown minted coins. Those of Aragon (Jaca) and Catalonia (Barcelona) were the most common, and fluctuated in value in relation to one another. For instance, in 1247 eighteen *denarii barcelonenses* were equal to fifteen *denarii jaquenses*. These were minted, unlike the *libra jaquensa*, which was a money of account. The *dupla* referred in principle to an Almohad (later, Naṣrid) issue, but the word was used generically for gold coins. Other common monies included the silver mark (approx. 60 sol. jaq./72 sol. barc.), the Moroccan *mazmudina yucifia* (approx. 5 sol. jaq./6 sol. barc.), the Castilian *mazmudina* (approx. 4 sol., 4 den. jaq./5 sol., 4 den. barc.), the *maravedí alfonsí* (approx. 7 sol., 6 den. jaq./9 sol. barc.), the *morabetin* (approx. 10 sol., 8 den. jaq./12 sol., 9 den. barc.) and the *besant* (approx. 2 sol., 14–20 den. jacc./3 sol., 2–6 den. barc.).¹

In terms of circulation, *solidi* of Barcelona dominated the area of modern Catalonia and eastern and southern Aragon (including Fraga, Alcañiz and Teruel), whereas Jaccan coins were most current in old Aragon, the upper Ebro, and the valleys of its tributaries, including the Jalón (see the map in A. Ubieta, Arbeta, *Historia de Aragón. Creación y desarrollo de la Corona de Aragón* [Zaragoza: Anubar, 1987], p. 158). For an index of prices in the late-thirteenth century Crown see “Apèndix II: Notes de caràcter econòmic,” in Soldevila, *Pere el Gran*, 1, pp. 478–485, and C. Dufourcq, “Prix et niveaux de vie.” The various customs schedules in M. D. Sendra, *Aranceles aduaneros de la Corona de Aragón (siglo XIII)* (Valencia: Anubar, 1966), can be used to compare the prices of a range of commodities.

¹ Sources: Boswell, *The Royal Treasure*, pp. 25–27; R. I. Burns, *Diplomatarium of the Crusader Kingdom of Valencia: the Registered Charters of its Conqueror Jaume I, 1257–1276*, 2 vols. (Princeton University Press, 1985), 1, pp. 108–112; and F. Mateu y Llopis, *Glosario hispánico de numismático* (Barcelona: CSIC, 1946).

Appendix 2

TOPONYMICAL VARIANTS IN ARCHIVAL
DOCUMENTS

Modern equivalents have been substituted for medieval toponyms except, of course, in direct quotations from documents. The variable and imprecise medieval spellings sometimes differ significantly from modern forms; the table below provides the equivalents for some of the less obvious medieval toponyms.¹

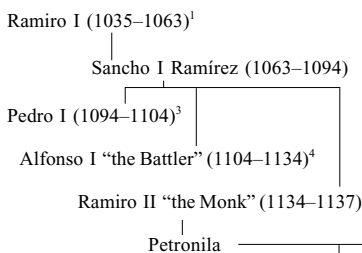
<i>Alfandech</i> = Alfántega	<i>Mallon</i> = Malón
<i>Alhamen</i> = Alfamen	<i>Mons Albanus</i> = Montalbán
<i>Almonezir</i> = Almonacid de Cuba/ de la Sierra	<i>Mons Albi</i> = Montblanc
<i>Antilione</i> = Antillón	<i>Montecathano</i> = Montcada
<i>Barchinona</i> = Barcelona	<i>Murviedro</i> = Sagunto
<i>Berola</i> = Veruela	<i>Nuelia/Nolia</i> = Nigüella
<i>Borgia</i> = Borja	<i>Osa</i> = Huesa
<i>Cabannis</i> = Cabañas	<i>Oscá</i> = Huesca
<i>Caesaraugusta</i> = Zaragoza	<i>Quadret</i> = Cadrete
<i>Castilione</i> = Castelló de la Plana	<i>Dousa</i> = Dehesa [?]
<i>Castrum Novum</i> = Castelnou	<i>Quart</i> = Cuart
<i>Cincha</i> = Cinca (river)	<i>Roda/Rota</i> = Rueda del Jalón
<i>Coglor</i> = Caulor	<i>Santa Crux</i> = Santa Cruz de Grio/de Moncayo
<i>Çuera</i> = Zuera	<i>Sauinyan</i> = Saviñán
<i>Dertosa</i> = Tortosa	<i>Siccaris</i> = Segre (river)
<i>Fariza/ Fariça</i> = Ariza	<i>Tàrraco</i> = Tarragona
<i>Grisench/ Grizen</i> = Grisén	<i>Tinasona</i> = Tarazona
<i>Ilerde</i> = Lleida	<i>Torrent</i> = Torrente del Cinca
<i>Illocha/ Illuecha</i> = Illueca	<i>Turol/ Terol</i> = Teruel
<i>Las Cavas</i> = Las Cuevas	<i>Vilafeliz</i> = Villafeliche
<i>Lucernich</i> = Luceni	<i>Xiarch</i> = Jarque de la Val/Jarque del Ebro
<i>Lumpiach</i> = Lumpiaque	<i>Xielsa/Exielsa</i> = Gelsa

¹ The principal sources consulted for locating medieval place names were A. Ubieta Arteta, *Toponimia aragonesa medieval* (Valencia: Facsímil, 1972), and P. Madoz, *Diccionario geográfico-estadístico-histórico de España y sus posesiones de ultramar*, 16 vols. (Madrid: P. Madoz y L. Sagasti, 1845–1850).

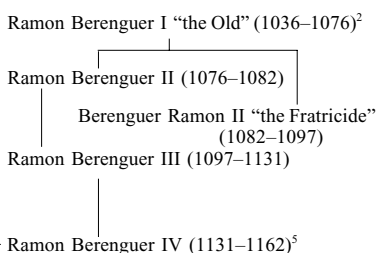
Appendix 3

RULERS OF THE “CROWN OF ARAGON,”
1050–1300

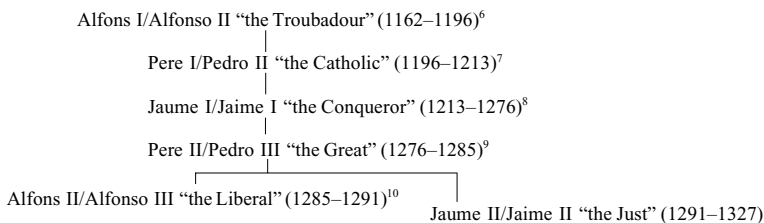
Kingdom of Aragon



County of Barcelona



Crown of Aragon



¹ First King of Aragon; son of Sancho III Garcés, King of Navarre.

² Descendant of Guifré “the Hairy,” vassal of Charlemagne in the *Marcae Hispaniae*.

³ Conquered Huesca and Barbastro.

⁴ Conquered Zaragoza, Cinco Villas, Jalón, Jiloca, and middle and upper Ebro valleys. Incursion to Granada.

⁵ With betrothal to Petronila in 1137 united Barcelona and Aragon. Conquered Lleida and Tortosa. Recovered territory from resurgent Almohads. Established Barcelona over rival counties.

⁶ First Count-King of Barcelona-Aragon, and Count of Provence. Recovered territory from Almohads.

⁷ Routed Almohads at Las Navas de Tolosa (1212). Killed at Muret in battle against Simon de Montfort; Aragonese influence in Languedoc, Roussillon and Provence declines as a result.

⁸ Count of Montpellier, King of Mallorca (from 1232) and of Valencia (from 1238), subdued Menorca and Denia. By treaty of Corbeil (1258) annulled vassalage of Catalan counties to the French Crown. At his death Mallorca and Perpignan passed to younger son, Jaume II of Mallorca.

⁹ Subdued Valencia, conquered Sardinia, annexed Sicily; war with Mallorca, France, and Papacy.

¹⁰ Annexed Menorca, faced *Uniones*; war with Castile, Mallorca, France, and Papacy.

SELECT BIBLIOGRAPHY

UNPUBLISHED MANUSCRIPT SOURCES

Note: Unless otherwise indicated the collections in question were consulted in their entirety. Collections which were consulted for individual documents (as to clarify a citation) are noted in the footnotes only. The many archives I visited which did not yield any new documentation relevant to this study are not included in this list.

Archivo de la Catedral de Tudela

Pergaminos (consulted via microfilm at the Archivo Municipal de Tudela).

Archivo Histórico Nacional (Madrid)

Órdenes Militares

Pergaminos,

Carpetas: 434, 459, 460, 607, 629, 636, 649, 682, 912;

Clero

Pergaminos,

Carpetas: 1003, 1012, 2877, 3767-70, 3951, 3952;

Códices

24b, 46b, 54b, 55b, 92b, 166b, 310b, 318b, 319b, 595b, 597b, 598b, 649b-651b,
659b, 662-664b, 978b, 992b, 995b.

Archivo Histórico Provincial de Zaragoza

Pergaminos.

Arxiu Capitular de la Catedral de Tortosa

Pergamins.

Arxiu de la Catedral de Barcelona

Cartes Reials (selected);

Pergamins,

Diversorum A-D (selected).

Arxiu de la Corona d'Aragó (Barcelona)

Cancelleria Reial

Pergamins

Carpets 38-155;

Registres

Jaume I: 5, 6, 8-25, 27, 33, 35, 37; Pere II: 38-52, 55-62;

Alfons II: 63-89; Jaume II: 90-114, 192-197, 235, 251-255, 292, 306, 311, 312,
319, 324, 330-332;

Varia

255, 347;

Select bibliography

- Memorials
68;
Cartes Reials Diplomàtiques
abans de Jaume I, Jaume I:1 and 2, Pere II: 1, Alfons II,
Jaume II: 1, 2, 82–83, 133, 135–142;
- Proessos de Cort
Volums 10, 11;
- Reial Audiència
Processos 502;
- Reial Patrimoni
Mestre Racional,
Dret de *Cena* 2349;
- Ordres Militars (Sant Joan),
Pergamins,
Armaris 4, 5, 8, 11, 12, 20, 23, 28, 29.
Volums 115, 197.
- Arxiu Municipal de Tortosa/ Arxiu Històric Comarcal de Tortosa
Pergamins;
Papers.
- Biblioteca Nacional (Madrid)
Manuscritos,
3546, 8702.
- Iglesia de San Juan el Real (Calatayud)
Pergaminos.
- Instituto de Valencia de Don Juan (Madrid)
Documentos medievales.
- Real Academia de la Historia (Madrid)
Abad y Lasierra,
9/3986;
Abella,
9/5185;
Bauer y Landauer,
9/6125;
Salazar y Castro,
9/195, 9/482, 9/761, 9/892.
- Universidad de Zaragoza, Facultad de Filosofía y Letras
Cartulario de San Pedro el Viejo (Huesca) (photographs by J. M. Lacarra).

PUBLISHED PRIMARY SOURCES

Note: Edited documents found within or as appendices to articles or monographs are listed as ‘Secondary Sources.’ Many sources consulted but not cited are not included in this list.

Ibn ‘Abdūn, Muḥammad Ibn Aḥmād. “Risālāt Ibn ‘Abdūn fī ‘l-quḍā’ wa ‘l-ḥisba,” in *Trois traités hispaniques de Hisba (Thalāt risā’il andalusiyya fī ‘ādāb al-ḥisba wa ‘l-muḥtasib)*, ed. E. Lévi-Provençal, 1–25. Cairo: Imprimerie de l’Institut Français d’Archéologie Orientale, 1955.

Select bibliography

- Alarcón y Santón, Maximilliano and Ramón García de Linares. *Los documentos árabes diplomáticos del Archivo de la Corona de Aragón*. Madrid/Granada: Las Escuelas Árabes de Madrid y Granada, 1940.
- d'Albon, Marquis, ed. *Cartulaire général de l'Ordre du Temple, 1119?–1150: Recueil des chartes et des bulles relatives à l'Ordre du Temple*. Paris: Librairie Ancienne, 1913.
- Algora Hernando, Jesús Ignacio, and Felicísimo Arranz Sacristán, eds. *Fuero de Calatayud*. Zaragoza: Institución "Fernando el Católico," 1982.
- Allouche, S., ed. *Al-Hulāl al-mawshiyya*. Rabat: al-Maṭba'āt al-Iqtišādiyya, 1936.
- Alvarus, Petrus. "Indiculus luminosus," in *Corpus Scriptorum Muzaribicorum*. ed. Johannes Gil, 1, 270–314. Madrid: Instituto 'Antonio de Nebrija', 1973.
- al-Andalusī, Sā'id. *Kitāb al-tabakāt al-umam (Livre des catégories des nations)*, trans. Régis Blanchère. Paris: Larose, 1935.
- d'Arenys, Pere. *Chronicon*, ed. José Montalvo. Valencia: Anubar, 1975.
- Ibn al-Athīr. *Ibn el-Athir, Annales du Maghreb et d'Espagne*, trans. E. Fagnan. Algiers: Jourdan, 1901.
- al-Bakrī, Abū 'Ubayd 'Abd Allāh. *Geografía de España (Kitāb al-masālik wa 'l-mamālik)*, ed. Eliseo Vidal Beltran. Zaragoza: Facsímil, 1982.
- Jughrāfiyat al-Andalus wa-Urūbba, min Kitāb al-masālik wa 'l-mamālik*. Edited by A. A. al-Ḥajjī. Baghdad: Dār al-Irshād, 1968.
- Barceló Torres, Carmen, ed. *Un tratado catalán medieval de derecho islámico: El llibre de la çuna e xara dels moros*. Córdoba: Universidad de Córdoba, 1989.
- Barrau-Dihigo, L., and J. Massó Torrents, eds. *Gesta comitum barcinonensium*. Barcelona: Casa de Caritat, 1925.
- Ibn Bassām. *Al-Dhakhīra fī maḥāsīn āhl al-Jazīra*, ed. Iḥsān 'Abbās, 2 vols. in 8. Beirut: 1979.
- Basset, René. "Extrait de la description de l'Espagne tiré de l'ouvrage du géographe anonyme d'Almeria," in *Homenaje a D. Francisco Codera*, 619–657. Zaragoza: Mariano Escar, 1904.
- Ibn Baṭṭūṭa. *Travels in Asia and Africa*, trans. H. A. R. Gibb. New York: R. M. McBride, 1929.
- de Bofarull y Mascaró, Próspero, ed. *Colección de documentos inéditos de la Corona de Aragón*, 44 vols, vols. 4, 6, 8, and 10. Barcelona: José Eusebio Montfort, 1847–1910.
- El registro del Merino de Zaragoza, el caballero Gil Tarín, 1291–1312*. Zaragoza: Hospicio Provincial, 1889.
- Bosch Vilá, Jacinto. "Los documentos árabes del Archivo de la Catedral de Huesca," *Revista del Instituto de Estudios Islámicos en Madrid* 5 (1957): 1–48.
- "Los documentos árabes y hebreos de Aragón y Navarra," *Estudios de edad media en la Corona de Aragón* 5 (1952): 407–416.
- Ibn Bulughghīn, 'Abd Allāh. *El siglo XI en primera persona (al-Tibyān)*, trans. E. Lévi-Provençal and Emilio García Gómez. Madrid: Alianza, 1980.
- Burns, Robert Ignatius. *Diplomatarium of the Crusader Kingdom of Valencia: the Registered Charters of its Conqueror Jaime I, 1257–1276*, 2 vols. Princeton University Press, 1985.
- Foundations of Crusader Valencia: Revolt and Recovery, 1257–1263*, 2 vols. Princeton, NJ: Princeton University Press, 1991.
- Caffaro. *De captione Almerie et Tortosue*, ed. A. Ubierto Arteta. Valencia: Facsímil, 1973.

Select bibliography

- del Campillo, Toribio. *Documentos históricos de Daroca*. Zaragoza: Imprenta del Hospicio Provincial, 1915.
- Canellas López, Ángel, ed. *Los cartularios de San Salvador de Zaragoza*, 4 vols. Zaragoza: Ibercaja, 1990.
- “Colección diplomática de la Almunia de Doña Godina (1176–1395),” *Cuadernos de Jerónimo Zurita* 12/13 (1961): 191–354.
- Colección diplomática del concejo de Zaragoza*, 2 vols. Zaragoza: Ayuntamiento, 1972.
- Canellas, Vitalis de. *Vidal Mayor* (Facsimile). Huesca: Instituto de Estudios Altoaragoneses, 1989.
- Caruana Gómez de Barrera, Jaime, ed. *El fuero latino de Teruel*. Teruel: Instituto de Estudios Turolenses, 1974.
- Chronica Adefonsi imperatoris*, ed. Luis Sánchez Belda. Madrid: CSIC, 1950.
- Cortes de los antiguos reinos de Aragón y de Valencia y principado de Cataluña*, vol. 1, part 1. Madrid: Real Academia de la Historia, 1896.
- Crónica de once reyes (veinte reyes) Escorial ms. Y.I.12*, ed. Terrence A. Mannerter. Madison: Hispanic Seminary of Medieval Studies, 1989.
- Desamparados Cabanes, María, ed. *Crónica latina de los reyes de Castilla*, 3rd edn. Zaragoza: Anubar, 1985.
- Desclot, Bernat. “Libre del rei en Pere,” in *Les quatre grans cròniques*, ed. Ferrán Soldevila, 405–664. Barcelona: Selecta, 1971.
- Durán Gudiol, Antonio, ed. *Colección diplomática de la catedral de Huesca*, 2 vols. Zaragoza: Instituto de Estudios Pirenaicos, 1965–1969.
- Fagnan, Edouard, ed. *Extraits inédits relatifs au Maghreb (géographie et histoire), traduits de l'arabe et annotés*. Algiers: J. Carbonel, 1924.
- Histoire de l'Afrique et de l'Espagne intitulée Al-Bayano'l-Mogrib*, 2 vols. Algiers: Fontana, 1901.
- al-Fāsi, Ibn Abī Zār. *Rawd al-qirātān*, trans. Ambrosio Huici Miranda, 2nd edn., 2 vols. Valencia: Nacher, 1964.
- Roudh el-kartas. Histoire des souverains du Maghreb et annales de la ville de Fès*, trans. A. Beaumier. Paris: Imprimerie Impériale, 1860.
- Font i Rius, Josep Maria. *Cartas de población y franquicia de Cataluña*, 2 vols. (first in 2 parts). Barcelona: CSIC, 1969.
- “La carta de seguridad de Ramón Berenguer IV a las morerías de Ascó y Ribera del Ebro (siglo XII),” in *Homenaje a Don José María Lacarra*, 261–83. Pamplona: Institución Príncipe de Viana, 1977. (Repr. in idem, *Estudis*, 561–576.)
- Fori Aragonum*. Facsimile with an introduction by Antonio Pérez Martín. Lichtenstein: Topos Verlag, 1979.
- Friedberg, Aemilius, ed. *Corpus iuris canonici*. Leipzig: Bernard Tauchnitz, 1881.
- Fuero juzgo en latín y castellano cotejado con los más antiguos y preciosos códices*. Madrid: Real Academia Española, 1815.
- Furs de València*, ed. Germà Colón and Arcadi Garcia, 8 vols. Barcelona: Barcino, 1970–1999.
- García y García, Antonius, ed. *Constitutiones concilii quarti lateranensis una cum commentariis glossatorum*, vol. 2, *Monumenta iuris canonici*. Series A: *Corpus glossatorum*. Vatican: Biblioteca Apostolica Vaticana, 1981.
- García Gómez, Emilio, ed. *Andalucía contra Berbería. Reedición de traducciones de Ben Hayyān, Ṣaḡundī y Ben al-Jatīb*. Barcelona: Universidad de Barcelona, 1976.

Select bibliography

- García de Linares, R. "Escrituras árabes pertenecientes al archivo de Ntra. Sra. del Pilar de Zaragoza," in *Homenaje a D. Francisco Codera*, 171–197. Zaragoza: Mariano Escar, 1904.
- Gargallo Moya, Antonio. "La carta-puebla concedida por el Templo a los moros de Villastar, 1276," in *III Simposio internacional de mudéjarismo. Actas*, 209–220. Teruel: Instituto de Estudios Turolenses, 1986.
- Gargallo Moya, Antonio, María Teresa Iranzo Munio, and María José Sánchez Uson, eds. *Cartulario del Temple de Huesca*. Zaragoza: Anubar, 1985.
- Gorosch, Max, ed. *El fuero de Teruel*. Stockholm: Almqvist & Wiksells Boktryckeri, 1950.
- Granja, F. de la. "La Marca Superior en la obra de al-'Udri," *Estudios de Edad Media de la Corona de Aragón* 8 (1967): 447–547.
- Gregory IX (Pope 1227–1241). *Decretales D. Gregorii Papae IX: suae integritati una cum glossis restitutae: ad exemplar Romanum diligenter recognitae*. Lyon: P. Rousselet, 1613.
- Guerrero Lovillo, José, ed. *Las cántigas. Estudio arqueológico de sus miniaturas*. Madrid: Instituto Diego Velázquez, 1949.
- al-Hamāwī, Yaḡūt ibn 'Abd Allāh. *The Ir'ād al-arib ilā mā'rifa al-adīb*, ed. D. S. Margoliouth, 7 vols. Leiden: Brill, 1909.
- Ibn Hayyān. *Al-Muqtabas*, trans. Pedro Chalmeta et al., vol. 5. Madrid: al-Māhad al-Aṣbānī al-'Arabī li-'l-Thaqāfa, 1979.
- al-Ḥimyarī, Muḥammad ibn 'Abd al-Mun'im. *Al-Rawḍ al-mi' tār*, ed. Iḥsān 'Abbās. Beirut: Maktabāt Lubnān, 1975.
- La péninsule ibérique au moyen-âge d'après le Kitāb ar-rawḍ al-mi'tār fī ḥabar al-akbār d'ibn 'Abd al-Mun'im al-Himyarī (Al-Rawḍ al-mi'tār)*, ed. and trans. E. Lévi-Provençal. Leiden: Brill, 1938.
- Hitti, Philip K. *An Arab-Syrian Gentleman and Warrior in the Period of the Crusades. Memoirs of Usāma Ibn Munqidh*. Princeton, NJ: Princeton University Press, 1987 [1929].
- Huici Miranda, Ambrosio, ed. "Los Banu Hud de Zaragoza, Alfonso el Batallador y los Almorávides (Nuevas aportaciones)," *Estudios de Edad Media de la Corona de Aragón* 7 (1962): 7–38.
- Al-Hulāl al-mawsiyya. Crónica árabe de las dinastías Almorávide, Almohade y Benímerin*. Tetuan: Edición Marroquí, 1952.
- Ibn 'Idarī: Al-Bayan al-Mugrib*. Valencia: Gráficas Bautista, 1963.
- Huici Miranda, Ambrosio, and María Desamparados Cabanes Pecourt, eds. *Documentos de Jaime I de Aragón*, 4 vols. Valencia, Zaragoza: Anubar, 1976; 1978; 1982.
- Ibn 'Idhārī al-Marrākushī. *Al-Bayān al-Maghrīb, fī akhbār al-Andalus wa 'l-Maghrīb*, ed. E. Lévi-Provençal, 4 vols. Beirut: Dār al-Thaqāfa, 1983.
- Al-Bayān al-Maghrīb*, ed. E. Lévi-Provençal, 3 vols. Paris: Librairie Orientaliste, 1930.
- Colección de crónicas árabes de la reconquista, ii, iii. (Al-Bayān al-Mughrīb)*, 2 vols, trans. A. Huici Miranda. Tetuan, 1953–54.
- al-Idrīsī, Abū 'Abd-Allāh Muḥammad. *La Géographie d'Edrisi*, trans. Pierre-Amédée Jaubert, 2 vols. in 1. Amsterdam: Philo Press, 1975 [1836–1840].
- Kitāb nuzhat al-mushtāq fī-ikhṭirāq al-'āfāq*, 2 vols. Cairo: Maktabāt al-Thaqāfa al-Dīmiyya, 1990.

Select bibliography

- al-Jarsīfī, ‘Amr Ibn ‘Uthmān Ibn al-‘Abbās. “Risālāt ‘Amr Ibn ‘Uthmān Ibn al-‘Abbās al-Jarsīfīfī ‘l-hisba,” in *Trois traités hispaniques de Hisba*, 117–128. Cairo: Imprimerie de l’Institut Français d’Archéologie Orientale, 1955.
- Jaume I, King of Aragon and Count of Barcelona. “Crònica o llibre dels feits,” in *Les quatre gran cròniques*, ed. Ferran Soldevila, 1–402. Barcelona: Selecta, 1971.
- Ibn Jubayr. *Rihlat Ibn Jubayr*. Beirut: Dār wa Maktabat al-Hilāl, 1981.
- Ibn al-Kardabūs. *Tārikh al-Andalus al-ibn al-Kardabūs wa waṣṣūhu ‘l-Ibn al-Shabbāṭ niṣṣān jadīdān (Kitāb al-iqtifā’)*, ed. Ahmad Mujatār al-‘Abbādī. Madrid: Instituto de Estudios Islámicos en Madrid, 1971.
- Historia de al-Andalus (Kitāb al-iqtifā’)*, trans. Felipe Maíllo Salgado. Madrid: Akal, 1986.
- al-Kayrawanī, Ibn Abū Zayd. *Risala ou traité abrégé de droit malekite et morale musulmane*, trans. E. Fagnan. Paris: Paul Geunther, 1914.
- Ibn al-Khaṭīb. *Kitāb a’mal al-a’lām fī man būyi’a qabla al-iḥtilām min mulūk al-Islām*, tr. E. Lévi-Provençal (in part). Beirut: Dār al-Makshūf, 1956.
- Ibn Khaldūn. *The Muqaddimah. An Introduction to History*, trans. Franz Rosenthal, 3 vols. London: Routledge & Kegan Paul, 1958.
- Lacarra, José María. *Documentos para el estudio de la reconquista y repoblación del valle del Ebro*, 2 vols. Zaragoza: Anubar, 1982.
- “Dos tratados de paz y alianza entre Sancho el de Peñalén y Muctādir de Zaragoza (1069 y 1073),” in *Homenaje a Johannes Vincke*, 121–134. Madrid: CSIC, 1962.
- Lacruz Berdejo, José Luis, “Dos textos interesantes para la historia de la compilación de Huesca,” *Anuario de Historia del Derecho Español* 18 (1947): 531–541.
- Lagardère, Vincent. *Histoire et société en Occident musulman au moyen âge: analyse du Mi’yar d’al-Wanṣarīsī*. Madrid: CSIC, 1995.
- Laliena Corbera, Carlos. *Documentos municipales de Huesca: 1100–1350*, 3 vols. Huesca: Ayuntamiento, 1988.
- Ledesma Rubio, María Luisa. *Cartas de población del reino de Aragón en los siglos medievales*. Zaragoza: Institución “Fernando el Católico,” 1991.
- Ledesma Rubio, María Luisa, ed. *Cartulario de San Millán de la Cogolla (1076–1200)*. Zaragoza: Facsímil, 1966.
- “Colección diplomática de Grisén (siglos XII y XIII),” *Estudios de Edad Media de la Corona de Aragón* 10 (1975): 691–808.
- Lema Pueyo, José Angel, ed. *Colección diplomática de Alfonso I de Aragón y Pamplona*. San Sebastián (Donostia): Editorial Eusko Ikaskuntza, 1990.
- Lévi-Provençal, Evariste, ed. *Mudhakkārāt al-Amīr ‘Abd Allāh*. Cairo: Dār al-Māārif, 1973.
- Liber iudiciorum* (see *Fuero juzgo*).
- López Pereira, José Eduardo, ed. *Crónica mozárabe de 754*. Zaragoza: Facsímil, 1980.
- López Rajadel, Fernando. *Crónicas de los jueces de Teruel*. Teruel: Instituto de Estudios Turolenses, 1994.
- Loscertales de Valdeavellano, P., ed. *Costumbres de Lérida*. Barcelona, 1956.
- Maimonides, Moses. *The Code of Maimonides (Mishneh Torah)*, trans. Louis I. Rabinowitz and Philip Grossman, 14 vols: vol. 5: *The Book of Holiness*. New Haven: Yale University Press, 1965.
- al-Maqqarī, Aḥmad ibn Muḥammad. *History of the Mohammedan Dynasties in Spain. (Nafh al-ītib)*, trans. P. de Gayangos, 2 vols. London: Johnson Reprint Co., 1890–1897.

Select bibliography

- Nafḥ al-tayb*, ed. Ihsān 'Abbās, 8 vols. Beirut: Dār al-Šādr, 1968.
- Martí, Ramon. *Pugio fidei adversus Mauros et Judæos*. Farnborough: Gregg Press, 1967 (repr.).
- Martín Duque, Ángel J., ed. *Documentación medieval de Leire*. Pamplona: Diputación Foral de Navarra, 1983.
- Massip i Fonollosa, Jesús, ed. *Costums de Törtosa*. Barcelona: Fundació Noguera, 1996.
- al-Mawardī, Abū al-Ḥasan 'Alī. *Al-Aḥkam al-sulṭāniyya*. Cairo: Mustafa al-Bābī al-Halābī, 1960.
- Molho, Mauricio. *El fuero de Jaca*. Zaragoza: Escuela de Estudios Medievales, Instituto de Estudios Pirenaicos, 1964.
- Molina, Luis, ed. *Fatḥ al-Andalus (La conquista de al-Andalus)*. Madrid: CSIC, 1994.
- Monroe, James T., ed. *The Shu'ubiyya in al-Andalus: The Risala of Ibn Garcia and Five Refutations*. Los Angeles: University of California, 1970.
- Ibn al-Mukaffā', Sāwīrūs. *History of the Patriarchs of the Egyptian Church (Tārikh batārikāt al-kinīsāt al-miṣriyya)*, 2 vols. in 4 parts each, ed. and trans. Aziz Suryal Atiya et al. Cairo: Institut Français d'Archéologie Orientale, 1959.
- Muñoz y Romero, Tomás. *Colección de fueros municipales y cartas pueblas de las [sic] reinos de Castilla, León, Corona de Aragón y Navarra*. Valladolid: Lex Nova, 1977 [1847].
- Muntaner, Ramon. "Crònica," in *Les quatre gran cròniques*, ed. Ferran Soldevila, 665–1000. Barcelona: Selecta, 1971.
- Orcástegui Gros, Carmen. *Crònica de San Juan de la Peña (Versión aragonesa)*. Zaragoza: Institución "Fernando el Católico," 1986.
- Pere III, King of Aragon and Count of Barcelona. *Crònica general de Pere III el Cereconiós dita comunament Crònica de Sant Joan de la Penya*, ed. Amadeu-J. Soberanas Lleó. Barcelona: Alpha, 1962.
- "Poema de Almería," in *Chronica Adefonsi imperatoris*, ed. and trans. Luis Sánchez Belda, 165–206. Madrid: CSIC, 1950.
- Poema de Mio Cid*, ed. Colin Smith, 15th edn. Madrid: Cátedra, 1988.
- Pons Guri, Josep Maria. "Constitutions conciliars Tarraconensi," *Analecta sacra Tarraconensia* 47; 48 (1974; 1975): 65–128; 241–363.
- Pons i Marquès, Joan, ed. *Cartulari de Poblet, Edició del manuscrit de Tarragona*. Barcelona: Institut d'Estudis Catalans, 1938.
- Primera crònica general de España*, ed. Ramón Menéndez Pidal, 3rd edn., 2 vols. Madrid: Gredos, 1977.
- al-Qalqashandī. *Šubḥ al-A'ṣa' fī kitābāt al-inšā'*, trans. Luis Seco de Lucena. Valencia: Anubar, 1975.
- Ramos y Loscertales, José M. "Compilación privada de derecho aragonés," *Anuario de Historia del Derecho Español* 1 (1924): 400–407.
- "Constituciones de las cortes de Huesca de 1118," *Anuario de historia del derecho español* 1 (1924): 398–400.
- "Recopilación de fueros de Aragón," *Anuario de historia del derecho español* 2 (1925): 491–523.
- Régne, J. *History of the Jews in Aragon. Regesta and Documents 1213–1327*. Jerusalem: Magnes Press, 1978.

Select bibliography

- Rodríguez de Lama, Ildefonso, ed. *Colección diplomática medieval de la Rioja (923–1225)*, 3 vols, vols, 2 and 3. Logroño: Ochoa, 1976, 1979.
- Rubio, Luis. *Los documentos del Pilar. Siglo XII*. Zaragoza: Institución “Fernando el Católico,” 1971.
- Rubió y Lluch, Antonio., ed. *Documents per l’història de la cultura catalana mig-eval*, 2 vols. Barcelona: Institut d’Estudis Catalans, 2000 [1908].
- Salarrullana y de Dios, José, ed. *Documentos correspondientes al reinado de Sancho Ramires*, vol. 1. Zaragoza: M. Escar, 1907.
- Sans i Travé, Josep Maria. *Col·lecció diplomàtica de la casa del Temple de Barberà (945–1212)*. Barcelona: Generalitat, Departament de Justícia, 1997.
- The Song of Roland*. Edited and translated by D. Sayers. Harmondsworth: Penguin, 1988.
- al-Tahāwī, Aḥmad ibn Muḥammad. *The Function of Documents in Islamic Law: The Chapters on Sales from Tāhāwī’s Kitāb al-Shurūṭ al-Kabīr*. (Kitāb al-shurūṭ al-kabīr), ed. with an introduction and notes by Jeanette Wakin. Albany: State University of New York Press, 1972.
- Tibi, Amin T. *The Tibyān. The Memoires of ‘Abd Allah b. Buluggīn Last Zīrid Amīr of Granada*. Leiden: Brill, 1986.
- Tilander, Gunnar, ed. *Los fueros de Aragón*. Lund: C. W. K. Gleerup, 1937.
- Torres, Juan, ed., *Repartimento de Orihuela*. Murcia: Academia Alfonso X el Sabio, 1988.
- Turki, A. M. “La Lettre du ‘Moine de France’ à al-Muqtadir billāh roi de Saragosse, et la réponse d’al-Bāyī, le faqīh andalou (Présentation, texte arabe, traduction),” *Al-Andalus* 31 (1966): 73–153.
- al-Ṭurṭūshī. *Sirāj al-mulūk*, 2 vols. Cairo: Dār al-Miṣriyyāt al-Bināniyya, 1994.
- Ubieto Arteta, Agustín, ed. *Cartulario de San Juan de la Peña*, 2 vols. Valencia: Anubar, 1962, 1963.
- Cartulario de San Millán de la Cogolla (759–1076)*. Valencia: Anubar, 1966.
- Colección diplomática de Pedro I de Aragón y Navarra*. Zaragoza: Institución “Fernando el Católico,” 1951.
- Crónicas anónimas de Sahagún*. Zaragoza: Facsímil, 1987.
- Crónica najarense*. Valencia: Anubar, 1966.
- Documentos de Casbas*. Valencia: Anubar, 1966.
- Jaca: Documentos municipales, 971–1269*. Valencia: Anubar, 1975.
- al-Udhrī, Aḥmād b. ‘Umr b. Ans. *Nuṣūṣan al-Andalus min Kitāb Tarṣī’ al-akhbār wa-tanwī’ al-‘āthār, wa ‘l-bustān fī gharā’ib al-buldān wa ‘l-masālik ilā jamī’ al-mamālik*, ed. ‘Abd al-‘Azīz al-Aḥwānī. Madrid: Maḥad al-Darāsāt al-Islāmiyya, 1965.
- Udina Martorell, Federico, ed. *El ‘Llibre blanc’ de Santes Creus*. Barcelona: CSIC, 1947.
- Vidal mayor, ed. Gunnar Tilander, 3 vols. Lund: Håkan Ohlssons Boktryckeri, 1956.
- Virgili, Antoni. *Diplomatari de la catedral de Tortosa (1062–1193)*. Barcelona: Fundació Noguera, 1997.
- al-Wansharīsī, Aba’l-Abbās Aḥmad ibn Yahya. *Al-Miy’ar al-mu’rib wa ‘l-jāmi’ al-mughrib ‘an fatāwī ahl Ifrīqiyyah wa ‘l-Andalus wa ‘l-Maghrib*, ed. Muḥammad Ḥajjī, 12 vols. Rabat: Wazārat al-Āwqāq wa al-shū’ūn al-Islāmiyya, 1981.

Select bibliography

ibn Zayd, Rabī [Reccemund]. *Le calendrier de Cordoue (Kitāb al-anwā)*, trans. Charles Pellat. Leiden: Brill, 1961.

SECONDARY SOURCES AND REFERENCE WORKS

Note: Due to considerations of space, only works cited in this study or which directly influenced it are listed here.

- Abou el Fadl, Khaled. "Islamic Law and Muslim Minorities: The Juristic Discourse on Muslim Minorities from the Second/Eighth to the Eleventh/Seventeenth Centuries." *Islamic Law and Society* 1 (1994): 141–187.
- Acíen Almansa, Manuel. *Entre el feudalismo y el Islam. 'Umar ibn Hafsun en los historiadores, en las fuentes y en la historia*. Barcelona: Universitat, 1994.
- Aleman, José. "Milicias cristianas al servicio de los sultanes musulmanes del Almagreb," in *Homenaje a D. Francisco Codera*, 133–169. Zaragoza: Mariano Escar, 1904.
- Alcover, José María. *Diccionari català-valencià-balear*, 10 vols. Palma de Mallorca: Moll, 1930–1969.
- Arco y Garay, Ricardo del. "Huesca en el siglo XII," in *II Congreso de Historia de la Corona de Aragón*, 1: 307–461. Huesca: Justo Martínez, 1920.
- "Referencias a caecimientos históricos en las datas de documentos aragoneses de los siglos XI y XII," *Estudios de Edad Media de la Corona de Aragón* 3 (1947–1948): 291–354.
- Arenillas Parra, Miguel, et al. *La presa de Almonacid de la Cuba. Del mundo romano a la ilustración en la cuenca del Río Aguasvivas*. Zaragoza: Gobierno de Aragón, 1996.
- Argemí, Roser. "Els Tagarins a la Ribera de l'Ebre al segle XIII." Doctoral thesis, Universitat de Barcelona, 1972.
- Arnold, T. W. *The Preaching of Islam. A History of the Propagation of the Muslim faith*. London: Luzac, 1935 [1898].
- Arrow, Kenneth. J. *The Limits of Organization*. New York: Norton, 1974.
- Assis, Yom Tov. *Jewish Economy in the Medieval Crown of Aragón 1213–1327. Money and Power*. Leiden: Brill, 1997.
- Azuar Ruíz, R. "Una interpretación del hisn musulmán en el ámbito rural," *Revista del Instituto de Estudios Alicantinos* 37(3) (1982): 33–41.
- Badía i Margarit, Antoni Maria. "«Alcalde»." Difusión de un arabismo en Catalán," in *Homenaje a Millás Vallicrosa*, 1: 67–82. Barcelona: CSIC, 1954.
- Baer, Yitzhak. *A History of the Jews in Christian Spain*, 2 vols. Philadelphia: Jewish Publication Society of America, 1961.
- Balaguer, Federico. "Notas documentales sobre los mozárabes oscenses," *Estudios de la Edad Media de la Corona de Aragón* 2 (1946): 397–416.
- Barceló i Perelló, Miquel. "El diseño de espacios irrigados en al-Andalus: un enunciado de principios generales," *El Agua en Zona Árida: Arqueología e Historia* (1989): 15–46.
- Barceló Torres, Carmen. *Toponímia àrabica del País Valencià. Alqueries i castells*. Xàtiva: Ajuntament, 1983.
- Barth, Fredrik, ed. *Ethnic Groups and Boundaries. The Social Organization of Cultural Difference*. Boston: Little, Brown and Company, 1969.

Select bibliography

- Bartlett, Robert. *The Making of Europe. Conquest, Colonization and Cultural Change 950–1350*. Harmondsworth: Penguin, 1993.
- Barton, Simon. "Traitors of Faith? Christian Mercenaries in al-Andalus and the Magreb, c. 1100–1300," in *Medieval Spain. Culture, Conflict and Coexistence*, ed. R. Collins and A. Goodman, 23–45. New York: Palgrave Macmillan, 2002.
- Basáñez Villaluenga, María Blanca. *La aljama sarracena de Huesca en el siglo XIV*. Barcelona: CSIC, 1989.
- Las morerías aragonesas durante el reinado de Jaime II. Catálogo de la documentación de la Cancillería Real. I (1291–1310)*. Teruel: Instituto de Estudios Turolenses, 1999.
- Bennassar, Bartolomé, ed., *Histoire des Espagnols*, 2 vols. Paris: A. Colin, 1985.
- Beraud-Villars, J. *Les Touareg au pays du Cid: Les invasions Almoravides en Espagne aux XI^e et XII^e siècles*. Paris: Plon, 1946.
- Berend, Nora. *At the Gate of Christendom: Jews, Muslims, and "Pagans" in Medieval Hungary, c. 1000–c. 1301*. Cambridge University Press, 2001.
- Berghe, Pierre L. van den. *The Ethnic Phenomenon*. New York: Elsevier, 1981.
- Bernabé Pons, Luis F. and María Jesús Rubiera Mata. "La lengua de mudéjares y moriscos. Estado de la cuestión," in *VII Simposio internacional de mudéjarismo. Actas*, 599–631. Teruel: Instituto de Estudios Turolenses, 1999.
- Bhabha, Homi K. *The Location of Culture*. London: Routledge, 1994.
- Bishko, Charles J. *Studies in Medieval Spanish Frontier History*. London: Variorum, 1980.
- Bisson, Thomas N. "El feudalismo en la Cataluña del siglo XII," in *Estructuras feudales y feudalismo en el mundo mediterráneo*, 66–91. Barcelona: Crítica, 1984.
- The Medieval Crown of Aragon. A Short History*. Oxford: Clarendon, 1986.
- "The Organized Peace in Southern France and Catalonia, ca. 1140–ca. 1233." *The American Historical Review* 82 (1977): 290–311.
- Blom, Jan-Peter. "Ethnic and Cultural Differentiation," in *Ethnic Groups and Boundaries. The Social Organization of Cultural Difference*, ed. Fredrik Barth, 74–85. Boston: Little, Brown and Company, 1969.
- Blumenthal, Debra G. "Implements of Labor, Instruments of Honor: Muslim, Eastern and Black African Slaves in Fifteenth-century Valencia." PhD Dissertation: University of Toronto, 2000.
- Bolens, Lucie. *Agronomes andalouses du moyen âge*. Geneva: Droz, 1981.
- Bonilla y San Martí, Adolfo. "El derecho aragonés en el siglo XII," in *II Congreso de Historia de la Corona de Aragón*, 1: 175–294. Huesca: Justo Martínez, 1920.
- Bonnassie, Pierre. *From Slavery to Feudalism in South-western Europe*, trans. J. Birrell. Cambridge University Press, 1991.
- Bonnassie, Pierre, and Pierre Guichard. "Les communautés rurales en Catalogne et dans le Pays Valencien (IX^e–milieu XIV^e siècle)," *Flaran* 4 (1982): 79–115.
- Bosch Vilá, Jacinto. *El oriente árabe en el desarrollo de la cultura de la marca superior*. Madrid: Ministerio de Educación Nacional de Egipto/ Instituto Egipcio de Estudios Islámicos, 1954.
- "Referencias a moneda en los documentos árabes y hebreos de Aragón y Navarra," *Estudios de Edad Media en la Corona de Aragón* 6 (1956): 229–246.
- "El reino de taifas de Zaragoza: algunos aspectos de la cultura árabe en el valle del Ebro," *Jerónimo Zurita. Cuadernos de historia* 10–11 (1960): 7–67.

Select bibliography

- Boswell, John. *The Royal Treasure. Muslim Communities under the Crown of Aragon in the Fourteenth Century*. New Haven: Yale University Press, 1977.
- Brodman, James W. *Ransoming Captives in Crusader Spain: The Order of Merced on the Christian-Islamic Frontier*. Philadelphia: University of Pennsylvania Press, 1986.
- Buesa Conde, Domingo J. "Los sínodos de Huesca-Jaca en el siglo XIII," *Aragón en la Edad Media* 2 (1979): 73–87.
- Bulliet, Richard. *Conversion to Islam in the Medieval Period: An Essay in Quantitative History*. Cambridge MA: Harvard University Press, 1979.
- Burke, Edmund III. "Middle Eastern Societies and Ordinary People's Lives," in *Struggle and Survival in the Modern Middle East*, ed. E. Burke III, 1–27. Berkeley, University of California Press, 1993.
- Burnett, Charles. "A Group of Latin-Arabic Translators Working in Northern Spain in the Mid-12th Century," *Journal of the Royal Asiatic Society* [no volume number] (1977): 62–108.
- Burns, Robert Ignatius. "Christian-Muslim Confrontation: The Thirteenth Century Dream of Conversion," in *Muslims, Christians and Jews in the Crusader Kingdom of Valencia: Societies in Symbiosis*, 80–107. Cambridge University Press, 1984.
- The Crusader Kingdom of Valencia: Reconstruction of a Thirteenth Century Frontier*, 2 vols. Cambridge MA: Harvard University Press, 1967.
- "The Daughter of Abu Zayd, Last Almohad Ruler of Valencia: The Family and Christian Seigniorship of Alda Ferrandis 1236–1300," *Viator* 24 (1993): 143–187.
- "The *Guidaticum* Safe-Conduct in Medieval Aragon-Catalonia: A Mini-Institution for Muslims, Christians and Jews," *Medieval Encounters* 1 (1995): 51–113.
- "Immigrants to Islam: Crusaders' Use of Muslims as Settlers in Thirteenth-Century Spain," *American Historical Review* 80 (1975): 21–42.
- Islam under the Crusaders: Colonial Survival in the Thirteenth Century Kingdom of Valencia*. Princeton, NJ: Princeton University Press, 1973.
- "The Language Barrier: Bilingualism and Interchange," in *Muslims, Christians, and Jews*, 172–192.
- Medieval Colonialism: Postcrusade Exploitation of Islamic Valencia*. Princeton, NJ: Princeton University Press, 1975.
- "Mudéjar Parallel Societies: Anglophone Historiography and Spanish Context, 1975–2000," in *Christians, Muslims and Jews in Medieval and Early Modern Spain*, ed. Mark D. Meyerson and Edward D. English, 91–124. Notre Dame: University of Notre Dame Press, 2000.
- "Muslim-Christian Conflict and Contact: Mudéjar Methodology," in *Muslims, Christians, and Jews in the Crusader Kingdom of Valencia: Societies in Symbiosis*, 1–51. Cambridge University Press, 1984.
- "Muslims in the Thirteenth Century Realms of Aragon. Interaction and Reaction," in *Muslims Under Latin Rule, 1100–1300*, ed. James M. Powell, 57–102. Princeton University Press, 1990.
- "Príncipe almohade y converso mudéjar: nueva documentación sobre Abū Zayd," *Sharq al-Andalus* 4 (1987): 109–122.

Select bibliography

- “Royal Pardons in the Realms of Aragon: An Instrument of Social Control,” in *XV Congreso de Historia de la Corona de Aragón. Actas*, 2 vols. 1.2: 36–44. Zaragoza: Gobierno de Aragón, 1993.
- Society and Documentation in Crusader Valencia*. Princeton, NJ: Princeton University Press, 1985.
- Burns, Robert Ignatius, and Paul Chevedden. *Negotiating Cultures. Bilingual Surrender Treaties in Muslim-Crusader Spain*. Leiden: Brill, 1999.
- Cagigas, Isidro de las. *Minorías étnico-religiosas de la Edad Media española*, 4 vols. Madrid: CSIC, 1947–1949.
- Cahen, Claude. “The Body Politic,” in *Unity and Variety in Muslim Civilization* ed., Gustave E. von Grünebaum, 132–166. Chicago: University of Chicago Press, 1955.
- Castro, Américo. *España en su historia. Cristianos, Moros y Judíos*. Buenos Aires: Losada, 1948; 2nd edn. Barcelona: Crítica, 1983.
- Catlos, Brian A. “Ambigüitat jurisdiccional: Els mudèjars i la justícia de la Corona d’Aragó al segle XIII,” in Thomas F. Glick, ed., *Minories musulmanes i la justícia reial en la “Corona d’Aragó”* (Valencia: Universitat de València, [forthcoming]).
- “Cristians, musulmans i jueus a la Corona d’Aragó medieval: un cas de «conveniència»,” *L’Avenç* 263 (November 2001): 8–16.
- “The Ebro Valley and Valencia: Mudéjar Experiences Related, Distinct,” *Revista d’Història Medieval* 12 (2002): 293–305.
- “Esclavo o ciudadano: Fronteras de clase en la Corona de Aragón, s. XIII,” in *De l’esclavitud a la llibertat: Esclaus i lliberts a l’Edat Mitjana*, ed. M. T. Ferrer and J. Mutgé, 151–166. Barcelona: CSIC, 2000.
- “Four Kidnappings in Thirteenth-Century Aragon: Christian Children as Victims of Christian–Muslim Domination,” *Scripta Mediterranea* 19–20 (1998–1999): 165–180.
- “Intereses comunes: la caualquenia musulmana de Huesca y el poder real (a finales del siglo XIII),” in *XVIII Congreso de la Historia de la Corona de Aragón. Actas* 3 vols.: II, 65–70. Barcelona: Universitat de Barcelona, 2003.
- “Muhammad Abenadalill: A Muslim Knight in the Service of the Kings of Aragon (1290–1291),” in *In and Around the Medieval Crown of Aragon: Studies in Honour of Prof. Elena Lourie*, ed. Harvey Hames, 257–302. Leiden: Brill, 2003.
- “*Secundum suam zunam*. Muslims and the Law in the Aragonese ‘Reconquest,’” *Mediterranean Studies* 7 (1999): 13–26.
- “To Catch a Spy: The Case of Zayn al-Din and Ibn Duḳan,” *Medieval Encounters* 2 (1996): 99–114.
- Chalmeta Gendron, Pedro. “Concesiones territoriales en al-Andalus hasta la llegada de los Almorávides,” *Cuadernos de Historia* 6 (1975): 1–90.
- “El concepto de tagr,” in *La Marche Supérieure d’al-Andalus et l’Occident chrétien*, 15–28. Madrid: Casa de Velázquez, 1991.
- Chazan, Robert. *Barcelona and Beyond: The Disputation of 1263 and its Aftermath*. Berkeley: University of California Press, 1992.
- Clément, François. *Pouvoir et légitimité en Espagne musulmane à l’époque des taifas (V^e/XI^e siècle)*. Paris: Harmattan, 1997.
- Coase, Ronald F. “The Nature of the Firm,” *Economica* 4 (n.s., 1937): 386–405.

Select bibliography

- Codera, Francisco. "Apodos o sobrenombres de moros españoles," in *Mélanges Hartwig Derenbourg*, 322–334. Paris: E. Leroux, 1909.
- Colbert, Edward P. *The Martyrs of Cordoba (850–859): A Study of the Sources*. Washington: Catholic University of America Press, 1962.
- Collins, Roger. *The Arab Conquest of Spain 710–797*. Oxford: Basil Blackwell Ltd., 1989.
- "Visigothic Law and Regional Custom in Disputes in Early Medieval Spain," in *The Settlement of Disputes in Early Medieval Europe*, ed. W. Davies and P. Fouracre, 85–104, 252–257. Cambridge University Press, 1986.
- Constable, Olivia Remie. *Trade and Traders in Muslim Spain: The Commercial Realignment of the Iberian Peninsula, 900–1500*. Cambridge University Press, 1994.
- Housing the Stranger in the Medieval World*. Cambridge University Press, 2003.
- Conte Cazarro, Ángel. *La aljama de moros de Huesca*. Huesca: Instituto de Estudios Altoaragoneses, 1992.
- "La encomienda del Temple de Huesca." Doctoral Dissertation. Universidad de Barcelona, 1981.
- Contel Barea, Concepción. *El Císter zaragozano en el siglo XII: Abadías predecesoras de Nuestra Señora de Rueda de Ebro*. Zaragoza: Institución "Fernando el Católico," 1966.
- El Císter zaragozano en el siglo XIII y XIV: Abadía de Nuestra Señora de Rueda de Ebro*, 2 vols. Zaragoza: Institución "Fernando el Católico," 1977.
- Coope, Jessica. *The Martyrs of Córdoba. Community and Family Conflict in an Age of Mass Conversion*. Lincoln NE: University of Nebraska Press, 1995.
- Corominas, Joan, ed. *Diccionario crítico-etimológico castellano e hispánico*. Madrid: Gredos, 1981.
- Corral Lafuente, José Luis. "Aldeas contra villas: señoríos y comunidades en Aragón (siglos XIII–XIV)," in *Señorío y feudalismo en la Península Ibérica*, ed. Esteban Sarasa Sánchez and Eliseo Serrano Martín, 487–500. Zaragoza: Institución "Fernando el Católico," 1993.
- La comunidad de aldeas de Daroca en los siglos XIII y XIV: Orígenes y proceso de consolidación*. Zaragoza: Institución "Fernando el Católico," 1987.
- Corriente, Federico. "Toponimia hispano-árabe en Aragón," *Turiaso* 7 (1987): 73–80.
- Cortés Ruiz, Maria Elena and Inmaculada Lázaro Molinero. "¿Continuidad o ruptura entre musulmanes y mudéjares? El ejemplo de Molina de Aragón (Guadalajara)," *Wad-al-Hayara* 22 (1995): 177–214.
- Cossío, José María de. "Cautivos moros en el siglo XIII," *Al-Andalus* 7 (1942): 49–93.
- Cutler, Allan. "Who was the Monk of France and When Did He Write?" *Al-Andalus* 28 (1963): 149–169.
- Dagorn, René. "Le document almohade de Poblet (Nouvelle publication amendée et mise à jour)," *Islamochristiana/Dirāsāt Islāmiyya Masīhiyya* 7 (1981): 147–166.
- Daniel, Norman. "Learned and Popular Attitudes to the Arabs in the Middle Ages," *Journal of the Royal Asiatic Society* [no volume number] (1977): 41–52.
- David, Paul A. "Why are Institutions the 'Carriers of History'? Path Dependence and the Evolution of Conventions, Organizations and Institutions," *Structural Change and Economic Dynamics* 5 (1994): 205–220.

Select bibliography

- Delgado Echevarría, Jesús. “«Vidal Mayor», un libro de fueros del siglo XIII,” in *Vidal mayor*, 43–82. Huesca: Instituto de Estudios Altoaragoneses, 1989.
- Diccionari biogràfic*, 4 vols. Barcelona: Albertí Editor, 1966.
- Diccionari de nomenclatura de pobles i poblats de Catalunya*. Barcelona: Aedos, 1964.
- Diccionari d'història de Catalunya*, 3rd edn. Barcelona: Edicions 62, 1995.
- Donner, Fred McGraw. *The Early Islamic Conquests*. Princeton University Press, 1981.
- Dufourcq, Charles-Emmanuel. *L'Espagne catalane et le Maghrib aux XIII^e et XIV^e siècles*. Paris: Presses Universitaires de France, 1966.
- “Prix et niveaux de vie dans les pays catalans et maghribins à la fin du XIII^e et au début du XIV^e siècles,” *Le Moyen Age* 3–4 (1965): 475–520.
- Dufourcq, Charles-Emmanuel, and J. Gautier Dalché. *Histoire économique et sociale de l'Espagne chrétienne au moyen âge*. Paris: Armand Colin, 1976.
- Dunlop, D. M. “A Christian Mission to Muslim Spain in the Eleventh Century,” *Al-Andalus* 17 (1952): 259–310.
- Dupré, Nicole. “La Vallée de l'Ebre dans l'Espagne romaine,” *Mélanges de la Casa de Velázquez* 9 (1973): 133–175.
- Durán Gudiol, Antonio. *De la Marca Superior de al-Andalus al reino de Aragón, Sobrarbe y Ribagorza*. Huesca: Caja de Ahorros y Monte de Piedad de Zaragoza, Aragón y Rioja, 1975.
- Ellison, Glenn. “Learning, Local Interaction and Coordination,” *Econometrica* 61 (1993): 1047–1108.
- The Encyclopedia of Islam*. CD-ROM Edition, v. 1.0. Leiden: Brill, 1999.
- The Encyclopedia of Islam*. New Edition. Leiden: Brill, 1966–2002.
- de Epalza, Mikel. “El Islam aragonés, un Islam de frontera,” *Turiso* 7 (1987): 9–21.
- Esco Samperiz, José C., and Juan F. Utrilla Utrilla. “La población mudéjar en la Hoya de Huesca (siglos XII y XIII),” in *V Simposio internacional de mudéjarismo. Actas, 187–208*. Teruel: Instituto de Estudios Turolenses, 1986.
- Escó, Carlos. “La etapa islámica (siglos VIII–XI),” in *El solar de la diputación provincial de Huesca: estudio arqueológico*, 91–111. Zaragoza: Diputación Provincial de Huesca, 1987.
- España sagrada*, ed. Enrique Flórez et al., 56 vols. Volumes XLIX and L, *España sagrada, continuada por la Real Academia de la Historia* ed. Vicente de la Fuente. Madrid: Real Academia de la Historia, 1879–1946 [1866].
- Fanjul, Serafín. *Al-Andalus contra España: la forja del mito*. Madrid: Siglo Veintiuno, 2000.
- Fernández y González, Francisco. *Estado social y político de los mudéjares de Castilla, considerados en sí mismos respecto de la civilización española*. Madrid: Real Academia de la Historia, 1866.
- Ferrandis, Manuel. “Rendición del castillo de Chivert a los Templarios,” in *Homenaje a D. Francisco Codera*, 19–33. Zaragoza: Mariano Escar, 1904.
- Ferreiro, A. “The siege of Barbastro, (1064–1065): A Reassessment,” *Journal of Medieval History* 9 (1983): 129–144.
- Ferrer i Mallol, María Teresa. “La capitulación de Borja en 1122,” *Aragón en la Edad Media* 10/11 (1993): 269–279.
- La frontera amb l'Islam en el segle XIV. Cristians i Sarraïns al País Valencià*. Barcelona: CSIC, 1988.

Select bibliography

- "The Muslim *Aljama* of Tortosa in the Late Middle Ages: Notes on Its Organisation," *Scripta Mediterranea* 19–20 (1998–1999): 143–164.
- "Els redemptors de captius: Mostolafs, eixees o alfaquecs (segles XII–XIII)," *Medievalia* 9 (1990): 85–106.
- Els sarraïns de la Corona Catalano-aragonesa en el segle XIV*. Barcelona: CSIC, 1985.
- Fierro, María Isabel. "La emigración en el Islam: conceptos antiguos, nuevos problemas," *Aurāq* 12 (1991): 11–41.
- Fierro, Maribel, and Manuela Marín. "La islamización de las ciudades andalúses a través de sus ulemas (s. II/VII – comienzos s. IV/X)," in *Genèse de la ville islamique en al-Andalus et au Maghreb occidental*, ed. Patrice Cressier and Mercedes García-Arenal, 65–98. Madrid: Casa de Velázquez/CSIC, 1998.
- Firro, Kias M. *The Druzes in the Jewish State*. Leiden: Brill, 1999.
- Fletcher, R. A. "Reconquest and Crusade in Spain c.1050–1150." *Transactions of the Royal Historical Society* 37 (5th series) (1987): 31–48.
- Saint James's Catapult. The Life and Times of Diego Gelmírez of Santiago de Compostela*. Oxford: Clarendon, 1984.
- The Quest for El Cid*. London: Hutchinson, 1989.
- Forey, Alan J. "The Military Orders and Holy War Against Christians in the Thirteenth Century," *The English Historical Review* 104 (1989): 1–24.
- The Templars in the 'Corona de Aragón'*. London: Oxford University Press, 1973.
- Franco, Francisco. "Ràpites i al-monastir(s) al nord i llevant de la península d'al-Andalus," in *La ràpita islàmica: Història institucional i altres estudis regionals*, 191–210. San Carles de la Ràpita: Institut d'Estudis Rapitencs, 1993.
- Freedman, Paul. *The Origins of Peasant Servitude in Medieval Catalonia*. Cambridge University Press, 1991.
- Freud, Sigmund. *Civilization and Its Discontents*. London: Hogarth Press, 1957.
- Fuentes, Pascual F. *Catálogo de los archivos eclesiásticos de Tudela*. Tudela: Oroz y Martínez, 1944.
- Galtier Martí, Fernando. "La Extremadura de Hispania. Algunos aspectos de la vida cotidiana en las fronteras aragonesas del año mil," in *La Marche Supérieure d'al-Andalus et l'Occident chrétien*, 149–164. Madrid: Casa de Velázquez, 1991.
- Garcés de Cariñena, Pedro and Jerónimo Zurita. *Nobiliario de Aragón. Anotado por Zurita, Blancas y otros autores*, ed. María Isabel Ubieto Artur. Zaragoza: Anubar, 1983 [1397].
- García de Cortázar, José Ángel. *La sociedad rural en la España medieval*. Madrid: Siglo Veintiuno, 1988.
- García Marco, Francisco Javier. *Comunidades mudéjares de la comarca de Calatayud en el siglo XV*. Calatayud: CSIC, 1993.
- "Fiscalidad, feudalismo y señorío en el mudejarismo aragonés a través del ejemplo de las comunidades del Jalón y Jiloca (medios siglo XII al XVI)," in *V Simposio internacional de mudejarismo. Actas*, 33–40. Teruel: Instituto de Estudios Turolenses, 1986.
- García Moreno, Luis A. *Historia de España visigoda*. Madrid: Cátedra, 1989.
- García y Bellido, A. *La península ibérica en los comienzos de su historia*. Madrid: Istmo, 1953.

Select bibliography

- García-Arenal, Mercedes, and Béatrice Leroy. *Moros y Judíos en Navarra en la baja Edad Media*. Madrid: Hiperion, 1984.
- Gargallo Moya, Antonio J. *El concejo de Teruel en la Edad Media 1177-1327*, 3 vols. Teruel: Instituto de Estudios Turolenses, 1996.
- Gautier-Dalché, Jean. "Châteaux et peuplements dans la péninsule ibérique (x^e-xiii^e siècles)," *Flaran* 1 (1979): 93-107.
- Gazulla, Faustino D. "Las compañías de zenetes en el Reino de Aragón (1284-1291)," *Boletín de la Real Academia de la Historia* 90 (1927): 174-196.
- "La redención de cautivos entre los musulmanes," *Boletín de la Real Academia de Buenas Letras de Barcelona* 13 (1927-1928): 321-343.
- Geertz, Clifford. *Interpretation of Cultures*. New York: Basic Books, 1983.
- Local Knowledge. Further Essays in Interpretive Anthropology*. New York: Basic Books, 1983.
- "Religion as a Cultural System," in *Anthropological Approaches to the Study of Religion*, ed. Michael Banton, 1-46. London: Tavistock Publications, 1966.
- Gerrard, Christopher. "Opposing Identity: Muslims, Christians and the Military Orders in Rural Aragon," *Medieval Archaeology* 43 (1999): 143-160.
- Gilles, Henri. "Législation et doctrine canoniques sur les Sarrasins," in *Cahiers de Fanjeux. Islam et chrétiens du Midi (XII-XIV s.)*, ed. Edouard Privat, 195-213. Toulouse: Centre d'Etudes Historiques de Fanjeux, 1983.
- Giménez Soler, Andrés. "Caballeros españoles en África y Africanos en España," *Revue Hispanique* 12, 16 (1905-1907): 299-372; 56-69.
- "La frontera catalano-aragonesa," in *II Congreso de Historia de la Corona de Aragón*, 1: 463-559. Huesca: Justo Martínez, 1920.
- "El justicia de Aragón ¿Es de origen musulmán?" *Revista de Archivos, Bibliotecas y Museos* (1901): 1-24 (repr.: Madrid: M. Tello, 1901).
- Giralt i Balaguero, Josep. "Fortificacions andalusines a la Marca Superior d'al-Andalus: aproximació a l'estudi de la zona nord del districte de Lleida," in *La Marche Supérieure d'al-Andalus et l'Occident chrétien*, 67-76. Madrid: Casa de Velázquez, 1991.
- Glick, Thomas F. "The Ethnic Systems of Premodern Spain," *Comparative Studies in Sociology* 1 (1978): 151-71.
- From Muslim Fortress to Christian Castle. Social and Cultural Change in Medieval Spain*. Manchester University Press, 1995.
- Islamic and Christian Spain in the Early Middle Ages*. Princeton, NJ: Princeton University Press, 1979.
- "Muhtasib and Mustasaf: A Case-Study of Institutional Diffusion," *Viator* 2 (1971): 59-81.
- Glick, Thomas F., and Oriol Pi-Sunyer. "Acculturation as an Explanatory Concept in Spanish History," *Comparative Studies in Society and History* 2 (1969): 136-154.
- Goitein, S. D. *A Mediterranean Society. The Jewish Communities of the Arab World as Portrayed in the Documents of the Cairo Geniza*, 4 vols. Berkeley: University of California Press, 1983.
- González Palencia, Ángel. "Notas sobre el régimen de riegos en la región de Veruela en los siglos XII y XIII," *Al-Andalus* 10 (1945): 79-88.
- Gould, Stephen J. *The Panda's Thumb*. New York: Norton, 1980.

Select bibliography

- Grau Monserrat, Manuel. "Contribución al estudio del estado cultural del Valle del Ebro en el siglo XI y principios del XII," *Boletín de la Real Academia de Buenas Letras de Barcelona* 27 (1957-1958): 227-272.
- Greif, Avner. "Contract Enforceability and Economic Institutions in Early Trade: The Maghribi Traders' Coalition," *The American Economic Review* 83 (1993): 525-548.
- "Cultural Beliefs and the Organization of Society: A Historical and Theoretical Reflection on Collectivist and Individualist Societies," *Journal of Political Economy* 102 (1994): 912-950.
- Gual Camarena, M. "Peaje fluvial del Ebro (siglo XII)," *Estudios de la Edad Media de la Corona de Aragón* 8 (1967): 155-188.
- Guichard, Pierre. *Al-Andalus: Estructura antropológica de una sociedad islámica en occidente. (Structures sociales 'orientales' et 'occidentales' dans l'Espagne musulmane*, trans. N. Acochea). Granada: Universidad de Granada, 1995.
- Al-Andalus frente a la conquista cristiana. Los musulmanes de Valencia (siglos XI-XIII) Les musulmans de Valence et la reconquête (XI^e-XIII^e siècles)*, trans. Josep Torró. Valencia: Universitat de València, 2001.
- Les musulmans de Valence et la reconquête (XI^e-XIII^e siècles)*, 2 vols. Damascus: Institut Français de Damas, 1990.
- "Le problème de l'existence de structures de type «féodal» dans la société d'al-Andalus (L'exemple de la région valencienne)," in *Structures féodales et féodalisme dans l'occident méditerranéen (X^e-XIII^e siècles)*, 699-725. Rome: Ecole Française de Rome, 1980.
- "Quelques remarques à propos de l'oeuvre de R. I. Burns," *Revista d'Història Medieval* 1 (1990): 217-224.
- "Un seigneur musulman dans l'Espagne chrétienne: le «ra'is» de Crevillente (1243-1318)," *Mélanges de la Casa de Velázquez* 9 (1973): 283-334.
- "Social History of Muslim Spain," in *The Legacy of Muslim Spain*, ed. Salma Khadra Jayyusi, 679-708. New York: Brill, 1992.
- "La société rurale valencienne à l'époque musulmane," *Estudis d'Història Agrària* 3 (1979): 41-52.
- Structures sociales 'orientales' et 'occidentales' dans l'Espagne musulmane*. Paris: Mouton, 1977.
- Toponimia y geografía musulmana de Valencia*. Zaragoza: Anubar, 1979.
- Guinot Rodríguez, Enrique. "'Sofras' y prestaciones personales en los mudéjares valencianos," *VI Simposio internacional de mudéjarismo. Actas*, 329-356. Teruel: Instituto de Estudios Turolenses, 1995.
- Hames, Harvey J. *The Art of Conversion: Christianity and Kabbalah in the Thirteenth Century*. Leiden: Brill, 2000.
- Herde, Peter. "Christians and Saracens at the Time of the Crusades. Some Comments of Contemporary Medieval Canonists," *Studia Gratiana* 12 (1967): 361-376.
- Heers, Jacques. *Esclaves et domestiques au moyen âge dans le monde méditerranéen*. Paris: Fayard, 1981.
- Hill, D. R. *The Termination of Hostilities in the Early Arab Conquests, A.D. 634-656*. London: Luzac & Company, 1971.
- Hillgarth, J. N. "Popular Religion in Visigothic Spain," in *Visigothic Spain: New Approaches* ed. Edward James, 2-60. Oxford: Clarendon, 1980.

Select bibliography

- Ramon Lull and Lullism in Fourteenth-Century France. Oxford: Clarendon, 1971.
- "Spanish Historiography and Iberian Reality," *History and Theory* 24 (1985): 23-43.
- The Spanish Kingdoms, 1250-1516*, 2 vols. Oxford: Clarendon, 1976-1978.
- "Vida i importància de Ramon Lull en el context del segle XIII," *Anuario de Estudios Medievales* 26 (1996-1997): 967-978.
- Hinojosa, Eduardo. "Mezquinos y exàricos, datos para la historia de la servidumbre en Navarra y Aragón," in *Homenaje a Don Francesco Codera en su jubilación del profesorado. Estudios de erudición oriental*, ed. Eduardo Saavedra, 523-531. Zaragoza: Mariano Escar, 1904.
- Hobsbawm, Eric J. "Peasants and Politics," *Journal of Peasant Studies* 1 (1973): 1-26.
- Høgendijk, Jan P. "Al-Mu'taman ibn Hūd, 11th Century King of Saragossa and Brilliant Mathematician," *Historia Mathematica* 22 (1995): 1-18.
- Huici Miranda, Ambrosio. "Las luchas del Cid Campeador con los almorávides y el enigma de su hijo, Diego," *Hespèris-Tàmuda* 6 (1965): 79-114.
- "Nuevas aportaciones de 'al-Bayān al-Mugrib' sobre los Almorávides," *Al-Andalus* 28 (1963): 313-330.
- Jimeno Ortuño, Luisa María. "Notas históricas sobre la aljama sarracena de Daroca durante el último tercio del siglo XIII," in *Homenaje a la memòria del Prof. Dr. Emilio Sáez*, 213-222. Barcelona: Universitat de Barcelona, 1989.
- Johnson, James Turner. *The Holy War Idea in Western and Islamic Traditions*. University Park: Pennsylvania State University Press, 1997.
- Kedar, Benjamin Z. *Crusade and Mission. European Approaches Toward the Muslims*. Princeton University Press, 1984.
- Khadduri, Majid and Herbert J. Liebesny. *Law in the Middle East*, vol. 1: *Origin and Development of Islamic Law*. Washington: Middle East Institute, 1955.
- Khalidi, Tarif. "Religion and Citizenship in Islam," in *Religion and Citizenship in Europe and the Arab World*, ed. Jørgen S. Nielsen, 25-30. London: Grey Seal, 1992.
- King, P. D. *Law and Society in the Visigothic Kingdom*. Cambridge University Press, 1972.
- Klein, Elka. "Power and Patrimony: The Jewish Community of Barcelona, 1050-1250." Ph.D. dissertation, Harvard University, 1996.
- Koningsveld, P. S. van and Wiegers, Gerard A. "The Islamic Statute of the Mudejars in the Light of a New Source," *Al-Qantara* 17 (1996): 19-58.
- Konrad, Herman W. *A Jesuit Hacienda in Colonial Mexico. Santa Lucía, 1576-1767*. Stanford, CA: Stanford University Press, 1980.
- Kroeber, A. L. "Stimulus Diffusion," *American Anthropologist* 42 (1940): 1-20.
- Lacarra, José María. "Aspectos económicos de la sumisión de los reinos de Taifas (1010-1102)," in *Homenaje a Jaime Vicens Vives*, 255-279. Barcelona: Universidad de Barcelona, 1965.
- "La reconquista de Zaragoza por Alfonso I," *Al-Andalus* 12 (1947): 65-96.
- "La reconquista y repoblación del valle del Ebro," in *La reconquista española y la repoblación del país*, 39-84; 207-222. Zaragoza: Institución "Fernando el Católico," 1951.
- Lacarra, José María, ed. *La reconquista española y la repoblación del país*. Zaragoza: Institución "Fernando el Católico," 1951.

Select bibliography

- Lagardère, Vincent. *Campagnes et paysans d'al-Andalus VIII^e–XI^e s.* Paris: Maisonneuve et Larose, 1993.
- Les Almoravides. Le djihâd andalou (1106–1143).* Paris: Editions l'Harmattan, 1998.
- Laing, R. D. *The Politics of Experience.* Harmondsworth: Penguin, 1967.
- The Politics of the Family.* London: Tavistock Publications, 1969.
- Laliena Corbera, Carlos. "La antroponimia de los mudéjares: resistencia y aculturación de una minoría étnico-religiosa," in *L'Anthroponymie. Document de l'histoire sociale*, ed. Monique Bourin, Jean-Marie Martin, and François Menant, 143–166. Rome: Ecole Française de Rome, 1998.
- "Expansión territorial, ruptura social y desarrollo de la sociedad feudal en el valle del Ebro, 1080–1120," in *De Toledo a Huesca. Sociedades medievales en transición a finales del siglo XI (1080–1100)*, ed. Carlos Laliena and Juan F. Utrilla, 199–228. Zaragoza: Institución "Fernando el Católico," Universidad de Zaragoza, 1998.
- "La formación de las estructuras señoriales en Aragón (ca. 1083–ca. 1206)," in *Señorío y feudalismo en la Península Ibérica*, ed. Esteban Sarasa Sánchez and Eliseo Serrano Martín, 553–86. Zaragoza: Institución "Fernando el Católico," 1993.
- "Los regadíos medievales en Huesca. Agua y desarrollo social, siglos XII–XV," in *Agua y progreso social*, ed. Carlos Laliena Corbera, 19–44. Huesca: Instituto de Estudios Altoaragoneses, 1994.
- Señorío y feudalismo en la Península Ibérica.* Zaragoza: Institución "Fernando el Católico," 1998.
- Sistema social, estructura agraria y organización del poder en el Bajo Aragón en la edad media (siglos XII–XV).* Teruel: Instituto de Estudios Turolenses, 1987.
- Laliena Corbera, Carlos, and Philippe Sénac. "Le peuplement musulman dans le district de Huesca (VIII^e–XII^e siècles)," in *La Marche Supérieure d'al-Andalus et l'Occident chrétien*, 51–66. Madrid: Casa de Velázquez, 1991.
- Musulmans et chrétiens dans le haut moyen âge: aux origines de la reconquête aragonaise.* Paris: Minerve, 1991.
- Lalinde Abadía, Jesús. *Los fueros de Aragón.* Zaragoza: Librería General, 1976.
- Lamarck, Jean-Baptiste. *Philosophie zoologique.* Paris: Flammarion, 1994 [1809].
- Landau, Jacob M. *The Arab Minority in Israel, 1967–1991.* Oxford: Clarendon, 1993.
- Ledesma Rubio, María Luisa. *La encomienda de Zaragoza de la Orden de San Juan de Jerusalén en los siglos XII y XIII.* Zaragoza, 1967.
- "Marginación y violencia. Aportación al estudio de los mudéjares aragoneses," *Aragón en la Edad Media* 9 (1991): 203–224.
- "Notas sobre los mudéjares del Valle del Huerva siglos XII al XIV," *Aragón en la Edad Media* 3 (1980): 7–27.
- "La población mudéjar en la Vega baja del Jalón," in *Miscelánea ofrecida al Ilmo. Sr. D. José María Lacarra y de Miguel*, 335–351. Zaragoza: Librería General, 1968.
- "La sociedad de frontera en Aragón (siglos XII y XIII)," in *Las sociedades de frontera en la España medieval*, 31–50. Zaragoza: Universidad de Zaragoza, 1993.
- Templarios y Hospitalarios en el Reino de Aragón.* Zaragoza: Guara, 1982.
- Vidas mudéjares.* Zaragoza: Mira, 1994.
- Levi, Giovanni. "On Microhistory," in *New Perspectives on Historical Writing*, ed. Peter Burke, 93–113. Cambridge: Polity, 1992.
- LeVine, Robert A., and Donald T. Campbell. *Ethnocentrism: Theories of Conflict, Ethnic Attitudes and Group Behaviour.* New York: John Wiley, 1972.

Select bibliography

- Lévi-Provençal, Evariste. *Histoire de l'Espagne musulmane*, 3 vols. Paris: G. P. Maisonneuve, 1950.
- Lewis, Bernard. "Raza y color en el Islam," *Al-Andalus* 33 (1968): 1–51.
- Lewis, D. *Conventions. A Philosophical Inquiry*. Cambridge MA: Harvard University Press, 1969.
- Liauzu, Guy. "Un aspect de la reconquête de la vallée de l'Ebre aux XI^e et XII^e siècles. L'agriculture irriguée et l'héritage de l'Islam," *Hesperis-Tamuda* 5 (1964): 5–13.
- Liberson, Stanley. "Theory of Race and Ethnic Relations." *American Sociological Review* 26 (1961): 902–10.
- Linehan, Peter. *The Spanish Church and the Papacy in the Thirteenth Century*. Cambridge University Press, 1971.
- Lladonosa i Pujol, Josep. *Història de Lleida*, 2 vols. Tàrraga: F Camps Calmet, 1972.
- Lomba Fuentes, Joaquín. "La ciencia musulmana y judía en el valle del Ebro medieval," *Aragón en la Edad Media* 14 (2000): 477–492.
- Lourie, Elena. "Anatomy of Ambivalence. Muslims under the Crown of Aragon in the Late Thirteenth Century," in *Crusade and Colonisation: Muslims, Christians and Jews in Medieval Aragon*, Essay VII, 1–77. Aldershot: Variorum Reprints, 1990.
- "The Confraternity of Belchite, the Ribât and the Temple," *Viator* 13 (1982): 159–176. (Repr. in *Crusade and Colonisation*, Essay II.)
- "Free Moslems in the Balearics under Christian Rule in the Thirteenth Century," *Speculum* 45 (1970): 624–649. (Repr. in *Crusade and Colonisation*, Essay VI.)
- "A Jewish Mercenary in the Service of the King of Aragon," *Revue des Etudes Juives* 137 (1978): 367–373. (Repr. in *Crusade and Colonisation*, Essay VIII.)
- "A Society Organized for War: Medieval Spain," *Past and Present* 35 (1966): 54–76. (Repr. in *Crusade and Colonisation*, Essay I.)
- "An Unknown Charter Given by King Peter II 'the Catholic' in 1210 to Mudejars in the Jalón and Jiloca Valleys," in *VII Simposio internacional de mudejarismo. Actas*, 113–122. Teruel: Instituto de Estudios Turolenses, 1999.
- "The Will of Alfonso I 'El Batallador' King of Aragon and Navarre: A Reassessment," *Speculum* 50 (1975): 635–51. (Repr. in *Crusade and Colonization*, Essay III.)
- Lustick, Ian. *Arabs in the Jewish State*. Austin: University of Texas Press, 1980.
- Madoz, Pascual. *Diccionario geográfico-estadístico-histórico de España y sus posesiones de ultramar*, 16 vols. Madrid: P. Madoz y L. Sagasti, 1845–1850.
- Maíllo Salgado, Felipe. "Guerra y sociedad a fines del s. XI," in *De Toledo a Huesca. Sociedades medievales en transición a finales del siglo XI (1080–1100)*, ed. Carlos Laliena and Juan F. Utrilla, 11–28. Zaragoza: Institución "Fernando el Católico," Universidad de Zaragoza, 1998.
- Makki, Mahmud 'Ali. "Ensayo sobre las aportaciones orientales en la España musulmana y su influencia en la formación de la cultura hispano-árabe," *Revista del Instituto de Estudios Islámicos* 9/10 (1961/1962): 65–231.
- Manzano Moreno, Eduardo. "El problema de la invasión musulmana y la formación del feudalismo: un debate distorsionado," in *'Romanización' y 'reconquista' en la Península Ibérica: nuevas perspectivas*, ed. María José Hidalgo et al., 339–354. Salamanca: Universidad de Salamanca, 1998.

Select bibliography

- Marín, Manuela. "Biographical Dictionaries and Social History of al-Andalus: Trade and Scholarship," *Scripta Mediterranea* 19–20 (1998–1999): 239–258.
- "Des migrations forcées: les 'Ulema d'al-Andalus face à la conquête chrétienne," in *L'Occident musulman et l'Occident chrétien au moyen âge*, ed. Mohammed Hammam, 43–60. Rabat: Faculté des Lettres, 1995.
- Marín Guzmán, Roberto. "The Abbasid Revolution in Central Asia and Khurāsān: An Analytical Study of the Role of Taxation, Conversion, and Religious Groups in Genesis," *Islamic Studies* 33 (1994): 227–252.
- Mateu y Llopis, Felipe. *Glosario hispánico de numismático*. Barcelona: CSIC, 1946.
- McKee, Sally. "Households in Fourteenth-Century Venetian Crete," *Speculum* 70 (1995): 27–67.
- Menéndez Pidal, Ramón. *La España del Cid*. Madrid: Espasa-Calpe, 1969 [1929].
- Menéndez Pidal, Ramón, and E. García Gómez. "El conde mozárabe Sisnando Davidez y la política de Alfonso VI con los taifas," *Al-Andalus* 22 (1947): 27–41.
- Meyerson, Mark D. *The Muslims of Valencia in the Age of Fernando and Isabel. Between Coexistence and Crusade*. Berkeley: University of California Press, 1991.
- "The War Against Islam and the Muslims at Home: The Mudejar Predicament in the Kingdom of Valencia during the Reign of Fernando 'el Católico,'" *Sharq al-Andalus* 3 (1986): 103–113.
- Millás Vallicrosa, José María. *Estudios sobre historia de la ciencia española*. Barcelona: 1949.
- Miller, Kathryn. "Guardians of Islam: Muslim Communities in Medieval Aragon." Ph.D. dissertation, Yale University, 1998.
- Miret y Sans, Joaquim. *Les cases de templers y hospitalers en Catalunya. Aplech de noves y documents*. Barcelona: Casa Provincial de Caritat, 1910.
- Montagut i Estragués, Tomàs de. *El Mestre Racional a la Corona d'Aragó (1283–1419)*. Barcelona: Fundació Noguera, 1987.
- Moore, R. I. *The Formation of a Persecuting Society: Power and Deviance in Western Europe, 950–1250*. Oxford: Basil Blackwell, 1987.
- Moxó, Salvador de. *Repoblación y sociedad en la España cristiana medieval*. Madrid: Rialp, 1979.
- Moxó y Montoliu, Francisco de. *La Casa de Luna (1276–1348). Factor político y lazos de sangre en la ascensión de un linaje aragonés*. Münster: Aschendorffsche Verlagsbuchhandlung, 1990.
- Mur i Raurell, Anna. *La encomienda de San Marcos: la Orden de Santiago en Teruel (1200–1556)*. Teruel: Instituto de Estudios Turolenses, 1988.
- Mutgé i Vives, Josefa. *L'aljama sarraïna de Lleida a l'edat mitjana*. Barcelona: CSIC, 1992.
- Nirenberg, David. *Communities of Violence. Persecution of Minorities in the Middle Ages*. Princeton, NJ: Princeton University Press, 1996.
- Comunidades de violencia. La persecución de las minorías en la Edad Media. (Communities of Violence)*, trans. Antoni Cardona. Barcelona: Península, 2001.
- "The Current State of Mudejar Studies," *Journal of Medieval History* 24 (1998): 381–389.
- "Conversion, Sex, and Segregation: Jews and Christians in Medieval Spain," *American Historical Review* (2002): 1065–1093.

Select bibliography

- Norris, H. T. *Islam in the Balkans: Religion and Society between Europe and the Arab World*. London: Hurst, 1994.
- North, Douglass C. "Institutions," *Journal of Economic Perspectives* 5 (1991): 97–112.
- O'Callaghan, J. F. *History of Medieval Spain*. Ithaca: Cornell University Press, 1975.
- Oliveras Caminal, J. *Cartes reiales (siglos XIII–XV)*. *Catálogo*. Barcelona: Altes, 1946.
- Orcástegui Gros, Carmen. "Notas sobre el molino hidráulico como instrumento de trabajo y dominación en el Aragón medieval (siglos XIII al XIV)," *Aragón en la Edad Media* 2 (1979): 97–135.
- Ortega Pérez, Pascual. *Musulmanes en Cataluña. Las comunidades musulmanas de las encomiendas templarias y hospitalarias de Ascó y Miravet (siglos XII–XIV)*. Barcelona: CSIC, 2000.
- Pagarolas i Sabaté, Laureà. *La comanda del Temple de Tortosa: primer període (1148–1213)*. Tortosa: Institut d'Estudis Dertotenses, 1984.
- Els templers de les terres de l'Ebre (Tortosa)*. De Jaume I fins a l'abolició de l'Ordre, 2 vols. Tarragona: Diputació, 1999.
- Pallarés Gil, Matías. "Don Blasco de Alagón, Señor de Morella," in *I Congreso de la Historia de la Corona de Aragón*, 2 vols. 1: 221–231. Barcelona: Francisco Altés, 1909.
- Pastor de Togneri, Reyna. "Claudio Sánchez Albornoz y sus claves de la historia medieval de España," *Revista de Historia Jerónima Zurita* 73 (1998): 117–131.
- Del Islam al Cristianismo: en las fronteras de dos formaciones económico-sociales: Toledo, siglos XI–XIII*. Barcelona: Península, 1975.
- Pearl, David. *A Textbook on Muslim Personal Law*, 2nd edn. London: Croon Helm, 1987.
- Piedrafita Pérez, Elena. "Infraestructura económica de los consejos de las Cinco Villas: regadíos, molinos y hornos (siglos XII–XIV)," *Aragón en la Edad Media* 12 (1995): 29–60.
- Pita Mercé, Rodrigo. *Lérida árabe*. Lleida: Dilagro Ediciones, 1974.
- Powers, James F. "Frontier Municipal Baths and Social Interaction in Thirteenth Century Spain," *American Historical Review* 84 (1979): 649–667.
- A Society Organized For War: The Iberian Municipal Militias in the Central Middle Ages, 1000–1284*. Berkeley: University of California Press, 1987.
- Quílez Burillo, Santiago. "Fiscalidad y autonomía municipal: enfrentamientos entre la villa de Daroca y la monarquía," *Aragón en la Edad Media* 3 (1980): 95–129.
- Ramos y Loscertales, José María. *El cautiverio en la Corona de Aragón durante los siglos XIII, XIV y XV*. Zaragoza: Publicaciones del Estudio de Filología de Aragón, 1915.
- La ràpita islàmica: Història institucional i altres estudis regionals, I Congrés de les Ràpites de l'Estat Espanyol*. San Carles de la Ràpita: Institut d'Estudis Ràpitencs, 1993.
- Redfield, Robert. *Peasant Culture and Society*. Chicago: University of Chicago Press, 1956.
- Ribera Tarragó, Julián. *Orígenes del justicia de Aragón*. Zaragoza: Comas hermanos, 1897.
- Riera i Sans, Jaume. "Antroponímia masculina dels Jueus de Lleida, l'any 1315," *Societat d'Onomàstica. Butlletí Interior* 85 (June 2001): 3–10.
- "Les llicències reials per predicar als Jueus i als Sarraïns (segles XIII–XV)," *Calls* 2 (1987): 115–143.

Select bibliography

- Romano Ventura, David. "Aljama frente a judería, call y sus sinónimos," *Sefarad* 39 (1979): 347-354. (Repr. in D. Romano Ventura, *De historia judía hispánica*, pp. 275-282.)
- "Conversión de los judíos al Islam (Corona de Aragón 1280 y 1284)," *Sefarad* 36 (1976): 333-337. (Repr. idem, *De historia judía hispánica*, 233-237.)
- "Cortesianos judíos en la Corona de Aragón," *Destierros aragoneses* 1 (1988): 25-37. (Repr. idem, *De historia judía hispánica*, 401-413.)
- De historia judía hispánica*. Barcelona: Universitat de Barcelona, 1991.
- "Los hermanos Abenmenassé al servicio de Pedro el Grande de Aragón," in *Homemade a Millás Vallicrosa*, 2 vols., II: 243-292. Barcelona: CSIC, 1956. (Repr. idem, *De historia judía hispánica*, 43-92.)
- Judíos al servicio de Pedro el Grande de Aragón (1276-1285)*. Barcelona: Universidad de Barcelona. Facultad de Filología, 1983.
- "Judíos bailes a Zaragoza (1276-1279)," in *La ciudad de Zaragoza en la Corona de Aragón. Comunicaciones. X Congreso de Historia de la Corona de Aragón*, 507-519. Zaragoza: Institución "Fernando el Católico," 1977.
- "Judíos escribanos y turjamanes de árabe en la Corona de Aragón (reinados de Jaime I a Jaime II)," *Sefarad* 38 (1978): 71-105. (Repr. idem, *De historia judía hispánica*, 239-73.)
- "Musulmanes residentes y emigrantes en la Barcelona de los siglos XIV-XV," *al-Andalus* 41 (1976): 49-86.
- "Prestadores judíos en los estados hispánicos," *Estudios Mirandeses* 8 (1988): 117-126. (Repr. idem., *De historia judía hispánica*, 421-430.)
- Romeu Alfaro, Sylvia. "Los fueros de Valencia y los fueros de Aragón 'jurisdicción alfonsina,'" *Anuario de Historia de Derecho Español* 42 (1972): 75-115.
- Rothstein, David. "Culture Creation and Social Reconstruction: The Socio-Cultural Dynamics of Intergroup Contact," *American Sociological Review* 37 (1972): 671-678.
- Rouhana, Nadim N. *Palestinian Citizens in an Ethnic Jewish State*. New Haven: Yale University Press, 1997.
- Rovira i Virgili, A. *Història de Catalunya*, 7 vols. Barcelona: Pàtria, 1922-1934.
- Russell, Frederick H. *The Just War in the Middle Ages*. Cambridge: Cambridge University Press, 1975.
- Russell, P. E. "The Nessus-shirt of Spanish History," *Bulletin of Hispanic Studies* 36 (1959): 219-225.
- Sabaté i Curull, Flocel. *El territori de la Catalunya medieval. Percepció de l'espai i divisió territorial al llarg de l'Edat Mitjana*. Barcelona: Patronat de la Fundació Salvador Vives i Casajuana, 1997.
- Sáinz de la Maza Lasoli, Regina. *La Orden de San Jorge de Alfama. Aproximación a su historia*. Barcelona: CSIC, 1990.
- Sánchez Albornoz, Claudio. *España: un enigma histórico*, 2 vols. Buenos Aires: Editorial Sudamericana, 1956.
- Santacana Tort, Jaime. *El monasterio de Poblet (1151-1181)*. Barcelona: CSIC, 1974.
- Santamaría, Alvaro. *Ejecutoria del Reino de Mallorca 1230-1343*. Palma: Ajuntament, 1990.
- Sarasa Sánchez, Esteban. "La Corona de Aragón en la primera mitad del siglo XIII (Feudalización, institucionalización y proyección mediterránea)," *Archivo Hispalense* 77 (1994): 379-398.

Select bibliography

- El privilegio general de Aragón*. Zaragoza: Cortes de Aragón, 1984.
- Sociedad y conflictos sociales en Aragón: siglos XIII a XV*. Madrid: Siglo Veintiuno, 1981.
- Scales, P. *The Fall of the Caliphate of Córdoba. Berbers and Andalus in Conflict*. Leiden: Brill, 1994.
- “La red militar en el Tagr al-’Ala en los siglos X y XI: Cataluña,” in *I Congreso de arqueología medieval española*, 221–236. Zaragoza: Diputación General de Aragón, 1986.
- Scott, J. “Everyday Forms of Peasant Resistance,” *Journal of Peasant Studies* 13(2), (1986): 7–35.
- Sénac, Philippe. “De *hişn* musulman au *castrum* chrétien,” in *De Toledo a Huesca. Sociedades medievales en transición a finales del siglo XI (1080–1100)*, ed. Carlos Laliena and Juan F. Utrilla, 113–130. Zaragoza: Institución “Fernando el Católico,” Universidad de Zaragoza, 1998.
- La Marche Supérieure d’al-Andalus et l’Occident chrétien*. Madrid: Casa de Velázquez, 1991.
- “Poblamiento, hábitats rurales y sociedad en la Marca Superior de al-Andalus,” *Aragón en la Edad Media* 9 (1991): 389–402.
- Sendra, María Dolores, *Aranceles aduaneros de la corona de Aragón (siglo XIII)*. Valencia: Aubar, 1966.
- Sesma Muñoz, J. A., Utrilla Utrilla, J. F., and Laliena Corbera, C. *Agua y paisaje social en la Aragón medieval. Los regadíos del río Aguasvivas en la Edad Media*. Zaragoza: Confederación Hidrográfica del Ebro, 2001.
- “Regadíos andalusíes en el valle medio del Ebro: El ejemplo del Río Aguasvivas,” in *Agricultura y Regadía en al-Andalus*, 67–84. Almería: Diputación, 1995.
- Sharpe, Jim. “History from Below,” in *New Perspectives on Historical Writing*, ed. 24–41. Cambridge: Polity, 1992.
- Shatzmiller, Maya. *Labour in the Medieval Islamic World*. Leiden: Brill, 1994.
- Silleras Fernández, Núria. “*Nigra sum sed formosa*: Black Slaves and Exotica in the Court of Maria de Luna (1396–1406),” *Medieval Encounters* [at press].
- Simonet, Francisco Javier. *Historia de los mozárabes de España*, 4 vols. Madrid: Turner, 1983 [1897].
- Sinués Ruiz, Anastasio and Antonio Ubieto Arteta. *El patrimonio real en Aragón durante la Edad Media*. Zaragoza: Anubar, 1986.
- Sivan, Emmanuel. “Réfugiés syro-palestiniens au temps des croisades,” *Revue des Etudes Islamiques* 35 (1967): 135–147.
- Siverts, Henning. “Ethnic Stability and Boundary Dynamics in Southern Mexico,” in *Ethnic Groups and Boundaries. The Social Organization of Cultural Difference*, 101–106. Boston: Little, Brown and Company, 1969.
- Sjøberg, Gideon. *The Preindustrial City*. Glencoe, IL: The Free Press, 1960.
- Smith, M. G. “Social and Cultural Pluralism,” in *Africa. Social Problems of Change and Conflict*, ed. Pierre L. van den Berghe. San Francisco: Chandler, 1965: 58–76. (Repr. from *Annals of the New York Academy of Science* 83, 1959–60: 763–777.)
- Sobrequés Vidal, Santiago. *Els barons de Catalunya*. 3rd ed. Barcelona: Vicen Vives, 1970.
- Soldevila, Ferran. *Història de Catalunya*, 3 vols, vol. 1. Barcelona: Alpha, 1938.
- Jaume I*. Barcelona: Editorial Vicens-Vives, 1961.

Select bibliography

- Pere el Gran*, 2 vols, ed. M. T. Ferrer. Barcelona: Institut d'Estudis Catalans, 1995 (1956).
- Staffa, Susan Jane. *Conquest and Fusion. The Social Evolution of Cairo A. D. 642–1850*. Leiden: Brill, 1977.
- Stalls, William Clay. "Aragonese Exarici in the Twelfth Century: Their Status and Conditions of Landholding," *Sharq al-Andalus* 4 (1987): 131–144.
- Possessing the Land. Aragon's Expansion into Islam's Ebro Frontier under Alfonso the Battler, 1104–1134*. Leiden: Brill, 1995.
- Stern, Samuel. M. "The Constitution of the Islamic City," in *The Islamic City. A Colloquium*, ed. S. M. Stern and A. Hourani. Oxford: Bruno Cassirer, 1970, 25–50 (Repr. in S. M. Stern, *History and Culture in the Medieval Muslim World*. London: Variorum, 1984, Essay 1.)
- Stewart, Julian. *Area Research. Theory and Practice*. New York: Social Science Research Council, 1950.
- Stone, Lawrence. "The Revival of Narrative: Reflections on a New Old History," *Past and Present* 85 (November 1979): 3–24.
- Tāḥa, 'Abdulwāhid Dhanūn. *The Muslim Conquest and Settlement of North Africa and Spain*. London: Routledge, 1989.
- Teixeira, Simonne. "El dominio del monasterio de Veruela: La gestión de un espacio agrario andalusí." Doctoral thesis, Universitat Autònoma de Barcelona, 1995.
- Tessler, Mark A. "The Identity of Religious Minorities in Non-Secular States: Jews in Tunisia and Morocco and Arabs in Israel," *Comparative Studies in Society and History* 20 (1987): 359–373.
- Thaler, Donald Ford. "The Mudejars of Aragón during the Twelfth and Thirteenth Centuries." Ph.D. dissertation, Yale University, 1973. Ann Arbor, MI: University Microfilms, 1973.
- Thompson, E. A. *The Goths in Spain*. Oxford: Clarendon, 1969.
- Thompson, E. P. "The Crime of Anonymity," in *Albion's Fatal Tree*, ed. Douglas Hay et al., 255–308. London: Allen Lane, 1978.
- Torres Balbás, Leopoldo. *Algunos aspectos del mudejarismo urbano medieval*. Madrid: Maestre, 1954.
- Torró Abad, Josep. *El naixement d'una colònia. Dominació i resistència a la frontera valenciana (1238–1276)*. Valencia: Universitat de València, 1999.
- Toubert, Pierre. *Castillos, señores y campesinos en la Italia medieval*, trans. Reyna Pastor. Barcelona: Crítica, 1990.
- Turk, Afif. *El reino de Zaragoza en el siglo XI de Cristo (V de la Hégira)*. Madrid: Instituto Egipcio de Estudios Islámicos en Madrid, 1978.
- Ubieto Arteta, Agustín. *Leyendas para una historia paralela del Aragón medieval*. Zaragoza: Institución "Fernando el Católico," 1998.
- Ubieto Arteta, Antonio. "La reconquista y repoblación de Alcañiz," *Teruel* 9 (1953): 61–78.
- Historia de Aragón. Creación y desarrollo de la Corona de Aragón*. Zaragoza: Anubar, 1987.
- Historia de Aragón. Divisiones administrativas*. Zaragoza: Anubar, 1983.
- Historia de Aragón. Los pueblos y los despoblados*, 3 vols. Zaragoza: Anubar, 1984.
- Toponimia aragonesa medieval*. Valencia: Facsímil, 1972.
- Udovitch, Abraham L. *Partnership and Profit in Medieval Islam*. Princeton University Press, 1970.

Select bibliography

- Urvoy, Dominique. "Une étude sociologique des mouvements religieux dans l'Espagne musulmane de la chute du califat au milieu du XIII^e siècle," *Mélanges de la Casa de Velázquez* 8 (1972): 223–293.
- Le monde des ulémas andalous du V/ XI^e au VII/XIII^e siècle, étude sociologique*. Geneva: Droz, 1978.
- Penseurs d'al-Andalus. La vie intellectuelle à Cordoue et Séville au temps des empires berbères: fin XI^e siècle—début XIII^e siècle*. Paris: CNRS, 1990.
- "Sur l'évolution de la notion de ġihād dans l'Espagne musulmane," *Mélanges de la Casa de Velázquez* 9 (1973): 335–371.
- Utrilla Utrilla, Juan F. "Los grupos aristocráticos aragoneses en la época de la gran expansión territorial del reino (1076–1134): poder, propiedad y mentalidades," in *De Toledo a Huesca. Sociedades medievales en transición a finales del siglo XI (1080–1100)*, ed. Carlos Laliena and Juan F. Utrilla, 167–198. Zaragoza: Institución "Fernando el Católico," Universidad de Zaragoza, 1998.
- "Tecnología hidráulica y regadíos medievales en el valle medio del Ebro," in *Técnicas agrícolas industriales e costruttivas na idade média*, 39–70. Celanova: Tórcula Artes, 1998.
- Utrilla Utrilla, Juan F., and C. Laliena Corbera. "Reconquista y repoblación. Morfogénesis de algunas comunidades rurales altoaragonesas en el siglo XII," *Aragón en la Edad Media* 13 (1997): 5–40.
- de Valdeavellano, Luis D. *Curso de historia de las instituciones españolas*. Madrid: Revista de Occidente, 1968.
- Verlinden, Charles. "La condition des populations rurales dans l'Espagne médiévale," *Recueils de la Société Jean Bodin pour l'histoire comparative des institutions* 2 (2nd edn, 1959): 167–200.
- L'Esclavage dans l'Europe médiévale*, 2 vols. Bruges: De Tempel, 1955.
- Vernet, Juan. "El valle del Ebro como nexo entre oriente y occidente," *Boletín de la Real Academia de Buenas Letras de Barcelona* 22 (1950): 249–286.
- Viguera Molins, María J. *Aragón musulmán*. Zaragoza: Librería General, 1981.
- El Islam en Aragón*. Zaragoza: Caja de Ahorros de la Inmaculada de Aragón, 1995.
- Los reinos de Táifas y las invasiones magrebíes (al-Andalus del XI al XIII)*. Madrid: Mapfre, 1992.
- Vilar, Teira. *El régimen jurídico de aguas en el llano de Lérida (siglos XII a XVIII)*. Barcelona: Universidad de Barcelona, 1977.
- Vispe Martínez, Joaquín. "La fundación del monasterio cisterciense de Veruela y la constitución de su dominio monástico (1146–1177)," *Cistercium* 36 (1984): 279–388.
- Virgili, Antoni. ". . . Ad detrimentum Yspanie . . ." La conquesta de Turtusa i la formació de la societat feudal (1148–1200)." Doctoral thesis, Universitat Autònoma de Barcelona, 1995.
- Wasserstein, David. *The Rise and Fall of the Party-kings: Politics and Society in Islamic Spain 1002–1086*. Princeton, NJ: Princeton University Press, 1985.
- Watson, Andrew M. *Agricultural Innovation in the Early Islamic World*. Cambridge University Press, 1983.
- "The Imperfect Transmission of Arab Agriculture into Christian Europe," in *Kommunikation zwischen Orient und Okzident. Alltag und Sachkultur*, 199–212. Vienna: Österreichische Akademie der Wissenschaften, 1994.

Select bibliography

- Webster, Jill. "Conversion and Co-existence: The Franciscan Mission in the Crown of Aragon," in *Iberia and the Mediterranean World of the Middle Ages*, ed. P. E. Chevedden, D. J. Kagay, and P. G. Padilla, 163–177. Leiden: Brill, 1996.
- Els Menorets. The Franciscans in the Realms of Aragon from St. Francis to the Black Death*. Toronto: Pontifical Institute, 1993.
- Wehr, Hans. *A Dictionary of Modern Arabic*. Beirut: Librairie du Liban, 1974.
- Wickens, G. M. "Al-Jarsifi' on Hisba," *Islamic Quarterly* 3 (1956): 176–187.
- Williams, John Bryan. "The Making of a Crusade: The Genoese anti-Muslim Attacks in Spain. 1146–1148," *Journal of Medieval History* 23 (1997): 29–54.
- Wolf, Kenneth Baxter. "The Earliest Spanish Christian Views of Islam," *Church History* 55 (1986): 281–293.
- Zambaur, E. *Manuel de généalogie et de chronologie pour l'histoire de l'Islam*. Hanover: H. Lefaire, 1927.
- Zimmerman, Michel. "Le rôle de la frontière dans la formation de la Catalogne (ix–xii^{ème} siècle)," in *Las sociedades de frontera en la España medieval*, 1–30. Zaragoza: Universidad de Zaragoza, 1993.
- Zurita, Jerónimo. *Anales de la Corona de Aragón*. Edited by Angel Canellas López. 9 vols., vols. 1 and 2. Zaragoza: Institución "Fernando el Católico," 1967–1970 [1562].
- Zwartjes, Otto. "The Andalusí *Kharjas*: A Courtly Counterpoint to Popular Tradition?" *Scripta Mediterranea* 19–20 (1998–1999): 45–54.

INDEX

- Abbeville, Jean d' 282–300
 'Abd Allāh b. Bullughghin b. Baḍīs, Taifa ruler
 of Granada 77, 86
 'Abd al-Rahmān I 33, 48
 'Abd al-Rahmān III 1, 25, 61
 Abdella, family 340–344, 347–354
 Abdella, Habraym de 348–351
 Abdella, Iunez de 347–349, 350–353
 abduction 162, 224–232, 280–311, 314
 Abenadallil, Muhammad 292–295
 Abenamies, Abraham 233–245, 293
 Abengentor, Abraham 160, 214, 357–365, 366,
 375, 381
 Abenmenassé 245
 Abinaffia, Aaron 150, 173, 368
 Abraham, (Jewish mercenary)
 Abū Zayd, Zayd, King of Valencia 103, 244
 Abulafia, Sayt 203
adelantatus 157–158, 340, 364, 366–367
 Ademani, Mahomet 164, 285
ādhān 407
 agnatic 39–43, 189, 215, 393, *see also* Family,
 Oriental
 Agreda 87, 198, 265, 276, 284, 294
 Aguavivas River 189
 Alagón 136–145, 180, 186, 192, 263–264, 269,
 320, 385–386
alcaydus 368
 Artal de 113, 149
 Blasco de 131, 244
 Alamini, Faraig filius Faraig 342
 Alamini, Jucef filium de Faraig 340–341,
 353
alaminus 127, 154, 155–158, 241, 294, 347,
 402
 Alarcos 84, 89
 Alatili, Çalema 195–197, 215, 317, 362
 Albahar, Aljaffār 142, 362–364
 al-Bājī 80
 Albalat, Pere d' 255, 282, 299, 313
 Albalate del Arzobisbo 162, 196, 257
albaranum 225, 227–229
 Albarracín 40, 237, 383
albus, *see* white
alcadi 152, 242, 359, 371
 Alcalá 94, 191, 282
 Alcanadre River 172, 362
 Alcañiz 193, 278–280, 281–282
alcaydus 127–155, 159–404
 Alcoll 222
 Alcoraz, Battle of 93
alcludia 219
 Aldea, L' 96
 Alexander III, Pope 88
 Alexander IV, Pope 282
 Alfajarín 131, 375
 Alfama, Order of 107–108
 Alfambra, Order of 180, 281, 339
 Alfamen 134, 193, 207, 265, 269, 275,
 351
alaminus 161
alcaydus 161
alfaquinus 161
aljama 150–151, 177, 161, 187, 192, 200,
 270–271, 274, 290, 351, 376, 384, 386
concilio 181
 Alfántega 230–232, 285
alfaquinatus 245
alfaquinus 127–155, 156–178, 208
alfondega, *see* *alfundicus*
 Alfons I, King of Aragon 89–93, 143, 180,
 281
 Alfons II, King of Aragon 16, 97, 133–134,
 141, 146, 265–270, 277–285, 330, 340,
 350–351, 359, 385
infant 171, 268–312, 315, 368, 376, 384
 intervention in Mudéjar affairs 171,
 205–206, 269, 302, 330, 355, 368, 377
 policy regarding Jews 164
 policy regarding Muslims 132–158, 185–195,
 227–237, 245, 270–293
 Alfonsi, Petrus 31

Index

- Alfonso I, King of Aragon 13–15, 30–62,
71–107
death 14, 78, 93
policy regarding Muslims 96–98, 125, 188
razzia 31, 77, 92
settlement policy 106–109
will and testament 93, 107, 108
- Alfonso IX of León 84
- Alfonso VI of Castile 13, 31–60, 76–86
death 88
- Alfonso VII of Castile 14, 30, 31, 62, 75, 93
alfundicus 193–200, 284–296, 297, 374
- Algeria 222
- al-Ḥākīm, Fatimid Caliph 302
- Ali of Saviñán 156, 164, 215
- aljama* 9–11, 123, 125–126, 128–129, 179–181,
187, 214–216, 275–292, 316, 329, 356,
366, 373–376, 383, 403–406
Christian and Jewish officials involved in
160–161
definition 126, 174, 269
financial administration 136–154, 185, 264,
356
Jewish 126–128, 136, 146
legal personality 151–152
- almogàvers* 192–193, 294, 315
- Almohads 2, 15, 67–68, 76–78, 84, 145
- Almonacid de la Cuba 63, 131–134, 146, 150,
189, 232, 257, 264, 287, 380, 387
aljama 177, 269, 292
- Almonacid de la Sierra 168, 265
- Almoravids 2, 36, 55, 100
- Almunia de Doña Godina, La 274, 384
- Aluicenc, Ismael 176, 205
- amān* 24
- Ambel 115, 139, 175, 318
- amma* 52–60, 157, 215
- Amposta, Castellania of 133, 275
- Anagni, Treaty of 269
- animal husbandry 3, 19, 26, 105, 179, 192–193,
201, 265–266, 274, 298
- apostacy 29–31, 253–254
- Arab Israelis 262, 393
- Arabic 23–37, 239–250, 284
persistence under Christian rule 35, 194,
239–260, 394
- Arabisation 27–68, 74, 324
- Aragon 143–153, 158–176
baiulus 144, 160, 161, 173, 304, 335, 354, 381
Crown of 91, 233, 273
fueros 167, 203–207, 230–241, 263, 322
justicia 161, 333–334, 343, 349
Kingdom of 4–13, 16, 71–72, 73–77,
159–170, 173, 199, 284–287, 288–291;
Muslims 132–133, 134, 192–198, 230,
299–301
Procurador generalis 204
- Aranda 131, 134, 172, 271–288, 320, 383
aljama 131, 175, 229
Christians and Muslims of 141, 265–266,
273–274
- Arándiga 99
- Archipresbitero, Bartholomeus de 151, 278
- Ariza 142, 172, 192, 201, 233, 268, 270
- Artesona, Petrus Martini de 343, 348–349,
360
- artisans 104, 154, 177, 193–198, 214, 285,
298
economic diversification 197, 214–215
mobility of 200, 285
- ʿasabiyya* 83
- Ascó 174, 296
charter 96
- Auenhalut, Jucef 206, 243, 342
- Auenladron, Buchar filium Farag 377
- Auinlatro, Faratg filio de Abdella 130, 215
- Auinlatron, Foçen filio de Pharach 139,
214–240, 348, 349
- Avendeçiembre, Juçef filius Muçe 370–371
- Avinahole, Abubocher 157, 216, 221
- Avinahole, Alfag 216–217
- Ayerbe, Petrus de 175
- azemila* 134
- azofra* 58, 144–145, 175, 320
- al-Azraq 243, 286
- Baghdad 1, 66
- Báguena 167, 173
- baiulus* 173, 387
- baiulus Sarracenorum* 159, 160, 342
- Balearics 15, 107, 236, *see also* Mallorca,
Minorca, Ibiza
- Balj b. Bishr 24, 40
- Banī Zanāta 231
- Banū Hūd 13, 26–32, 41, 55, 73, 75, 83
- Banū Ḥudayr 40
- Banū Qāsī 25–26, 28, 40, 41
- Banū Tujīb 12, 26–32, 41, 55
- baptizatus* 231–258
- Barbastro 13, 54, 117, 137–141, 269, 314
“Crusade” against 2, 13, 94
fuero 108
Jews of 146
justicia 382
merinus 173, 381
- Barberà, Conca de 117
- Barbués 193
- Barcelona 16, 71, 73, 362

Index

- baiulus* 228, 288
Bishop of 257
corts (1064) 74
corts (1283) 112, 236
Disputation of 1263 259
Jews of 177
Muslim inhabitants 177, 288
privileges of 255
barraganía 311
Bastida, Arnaldus de 203
baths 56, 297
bay'a 61, 157
Belchite 26, 191, 276, 303
 carta-puebla 80, 116
 Confraternity of 108
 council 191
Bellido, Abrafim 196
Bellido, Abraham 218, 337
Bellido family 217–219, 331–334, 336–337
Benhaur, Abderramen 233, 335–336, 337
Benhaur, Abohalil 336
Benifallet 217, 221
Berber:
 immigration 24–37
 language 34–37
 monolingualism 37
 settlement 26–35, 37–46
Berenguer Ramon, Count of Barcelona 74
Biar 88
Bidaure, Egidius de 226, 386
bilingualism 33–39, 242, 243
biographical dictionaries 6, 38–41
black 228, 231, 234–235
Black Plague 18, 407
Blanca, Queen of Aragon 164
Bleuca 363
Bodo 32
Bolea 61
Borja 75, 131, 162, 208, 217, 224, 232–247,
 263–275, 335, 381–385
 alcaydus 170, 286
 alfaqinus 170, 204, 219
 aljama 151, 199–202, 203, 366–372
 baiulus sarracenorum 366
 butcher shop 194
 homines 162
 Islamic 61
 Jews 204
 justicia 368, 369, 385
 Mudéjar debtors 204
 municipal officials 132, 194
 Muslims and Christians 202–204, 242,
 266–278
 surrender 96
Bougie 233
Braulio (Bishop, 631–651) 27
Brea 244, 276, 315, 385, 386
 alcaydus 170
Burbáguena 207, 249, 303–304, 308
Burgos 79
Burriana 382
butcher shops, *see* meat
Cabañas 175, 186, 274–276, 351
Cadrete 141, 305
 Hospitalier vassals 186
Calanda 278–318
 aljama 151
Calatayud 26–29, 75–103, 150, 156, 172, 194,
 232, 266–268, 271, 278, 383–385
 alaminus 342
 alfaqinus 164, 219, 240, 268, 304,
 353
 aljama 203
 Christians of 116, 150
 Islamic 55
 Jews 206, 207
 justicia 160, 168, 271, 384
 Mozarabs 30
 Mudéjar debtors 203–207
Calatorao 274, 311, 376
Calatrava, Order of 107, 162, 173, 280,
 281–282
Calendar, Islamic 33–35, 243–244
call to prayer, *see* *ādhān*
Calp 198
Camporrotuno, Monastery of 146
Canellas, Vidal de 112, 163, 322
canonical taxes 56, 82, 116, 138–140, *see also*
 decimas, *primicias*
 Mudéjar liability for 133, 368, 382
 resistance to 133–134, 181–182
Cántigas de Santa María 68
capeleuator 352, 369
capital punishment 167, 168, 222, 223,
 307–308
 immunity from 168, 223
 capture 225–226, 233, 266
 of Christians 227
carta-puebla 8, 99, 109–110, 129,
 163
cartelegium 162, 175
Casbas, Monastery of 176, 362
Cascajo 187
Casada 109, 111
Castellar, *aljama* and council 126
Castellnou, Arnaldus de 132
Castelló de la Plana 230, 319

Index

- Castile, Kingdom of 2, 6, 13, 72–78, 84, 89,
143–176, 192–198, 230–236, 265–266,
271–284, 365, 407
- Catalonia 14–15, 16–72, 74, 89, 143–160, 162,
177, 225, 236, 280, 291, 317, 393
Muslims of 133
Old 91–112, 279
- Catholic Monarchs 2
caualcata 267–268
caualquem 127, 155, 404
caualquenia 219
- Caulor 180, 183, 382
- Celestine III 74
- cemeteries 33, 56, 107, 152, 248, 319–320
- cena* 141, 142, 384
- cereal cultivation 58–63, 106, 191–192
- Cervera 225, 335
- Ceuta 86, 233
- Chanson de Roland* 66
- Charlemagne 66
- Church 86–91, 107, 131, 141, 239, 251, 279,
284, 377, 397, 407
policy regarding Muslims and Jews 273–299
- churches, Muslim-built 195, 392
- Cid, El 38–60, 76–77, 78–79
- Cinca River 197
- Çirach 226
- Clement IV, Pope 282
- Clement V, Pope 407
- cognomens 30, 53, 274, 305, 363
- Coímbra 2, 77
- communal land 153
- congregational mosque 28, 55, 56, 107, 110,
248
- conversion:
forced 3, 234, 258, 375
to Christianity 3, 27, 103, 234–252
to Islam 27–28, 32–34, 254, 311
to Judaism 32, 254
to Judaism, of slaves 254–255, 257
- conversos* 245, 249, 257–259
- Conxellus, Issa 160
- Córdoba, Martyrs of 27–29
- Cornelli, Eximinius 131, 387
- Cornelli, Petrus 131
- corts/cortes* 91, 174, 241
Barcelona (1064) 74
Barcelona (1283) 112, 236
Zaragoza (1290) 315
Zaragoza (1398) 337
- corvée* 58, 145–175, 183, *see also* *azofra*
- Costanza, Queen of Aragon 77, 358, 362,
382
- Covadonga, Battle of 85
- craftsmen, *see* artisans
- credit 46, 149, 151, 198–201, 209, 216–223
- creditors, Jewish 149, 176, 201–208, 242, 278,
296, 363, 367–368, 369
- creditors, Muslim 207
- creditors, Navarrese 202
- Crestiá, Pau 259
- Crevillente 40
- crossbowmen 263, 264, 292
- Crusade 13–15, 66, 85–88, 89, 97, 251,
279–282, 283, 407
- Cuarre 191, 221, 383
alfaquinus 216
battle of 76
- Cutanda 62–67, 79, 94, 227
- Dalanhi, Ali 341–344, 350–353
- Dalmari, Hali 352
- dār al-Islām* 1, 33, 63, 81, 111, 236–238, 260,
262, 283, 290, 322, 401
- Darazo, Petrus Eximini 343, 355
- Daroca 26, 90, 142–143, 226, 294
adelantati 158, 340–341
alaminus 133, 143, 340–341, 342, 347–349
alcaydus saracenorum 285, 349
aljama 137, 142, 143, 151, 207, 217,
339–346, 347–350, 352–355
Archpriest 249
baiulus 133, 151, 207, 347
baiulus saracenorum 339, 340, 352
diocese 304
juratus 133
justicia 133, 314, 343–344, 348
morería 340
Muslims and Jews 319
Templar 335, 339–346
universitas 174
- Davídez, Sinsando 38, 77, 86
- decimas* 133–134, 141, 198–205, 249, 338, 382,
see also canonical taxes
- Denia 60, 226
- dhimma* 24, 28, 98–99, 300
- Díaz el Vivar, Rodrigo, *see* El Cid
- dietary laws 27, 194, *see also* Ḥalāl, meat
- Dionisii, Gabriel 336
- Disputation of 1263, *see* Barcelona, Disputation
of 1263
- Domarii, Muça de 206, 360–364
- Dominican Order 217, 244, 248–250, 337, *see*
also listings under towns
- Druze 262
- Easter 299–321
- Ebro River 3–10, 21, 26, 37, 90, 104, 146, 179,
189, 199, 210, 214, 238, 259, 261–264,
266–268, 327, 373–374, 383, 391–394

Index

- Egypt 23, 32, 33–34, 290, 300, 302, 324
 Ejea 107, 273, 275–383
 Elipandus 29
elongamentum (moratorium) 142–145, 146–149, 208–212
 emigration 11, 71, 100–117, 143, 238, 286–289, 323, 392–401, 407–408
 endogamous family structures 39–44, *see also* Family, Oriental
 Épila 168, 193
 Escarp 146
 Escatrón 117, 149, 198, 222, 276
 Escornalbou 109
 Esllida 171
 Espluga 278
 Eulogius of Córdoba, Saint 29, 32
exaricus 45–46, 105–107, 139, 179–181, 188, 266, 332, 362, 366, 391, *see also* *shārik*, *sharecropping*
exercitus 112, 141–142, 145, 263, 266–270, 384, *see also* *redemptio exercitus*
 Extremadura, Aragonese 14–16, 90, 108, 111, 280, 315

 Falset 316
 family structure, Oriental 39–48, 68, 285
 Fañez, Álvaro 77–78
faqīh 155
fatwā 105, 171, 195, 203, 265, 299, 308, 404
fatwā literature 10, 80
 Felix of Urgell 29
 Fernando, King of Aragon 2
 Fernando I, King of Castile 30, 77
 Fernando III, King of Castile 59
 Ferrer, Vincent 305
fideiussor 150
fitna 40, 54, 55, 82
 Flix 230
 fortifications, municipal 137, 269–270
 Fortūn b. Muḥammad 59
forum Aragoniae, *see* Aragon, *fueros*
 Fraga 131, 133, 275
 Islamic 14, 58, 93
 siege of 62, 78–93
 Franciscans 158–172, 250, 251, 362
franquitas 129–175, 197–198, 218, 242, 268, 280, 287, 329, 339, 346, 353, 374, 379
franquitas, *exarici* 187
franquitas, granting of to officials 130, 135, 195, 204, 205, 215–216, 358, 366
fueros 8, 97–99, 109–111, 129, 167, 203, 250, 253–257, 263
funduq, *see* *alfundicus*
fuqahā' 38
fuqahā', of Valencia 247

 Furthest March (Thaghr al-Aqṣā) 4, 23–31, 70, 71–72, 79–81, 93, 99, 392

 Galibh 329–330, 338
 Galip family, family 329–334, 338
 Galip, Jucef, Jucef 329–330, 335, 379
 Garçesii, Garçius 340, 347, 350
 García Ramírez 14, 187
 García Sánchez I of Pamplona 87
 Gata, La, *see* Lagata
 Gauarreix, Mahomet 216
 Gelsa 198, 218, 287
 Genoese 61, 238
 George, Saint 87
 Gerona 264, 270
 Gerona, Jews of 146
 Gotor 103, 198, 385
 Granada:
 Muslim subjects of 226–227, 231, 233
 Nasrid Kingdom of 2, 36, 199, 226–230, 237, 245, 286, 290, 291–292
 pogrom 32
 Zirid Kingdom of 36
 Graus, Battle of 37, 77
 Gregory VII, Pope 299
 Gregory IX, Pope 248, 273, 289, 300
 Grisén 43, 130, 193, 266
 Gudal, Alamannus de 202, 206, 226, 270, 381–386
guerra Saracenorum 18, 88, 143–146, 264–268, 280–284, 365
guidaticum 199, 226–227, 231, 270–271, 285–287
 Guifré “the Hairy” 14

hājib 55
hājī 285, 298
ḥalāl, *see* meat, dietary laws
 Hebrew 37, 53, 239, 250, 393
 herding, *see* animal husbandry
 Híjar 60–61
hijrā 104
ḥisba 45
ḥisn/qarya 26, 68, 118, 394
 holidays, Christian 33, *see also* Easter
 Holy Redeemer, Order of 108, 233
 Holy Sepulchre, Order of 107, 271, 278, 280, 384
homicidium 232, 340
honor 14, 92, 106, 107–108, 130, 141, 385
 Hospital of St. John, Order of 114, 130–152, 234, 280–303, *see also* listings under towns
 Borja 315
 Calatayud 241, 266

Index

- Hospital of St. John, Order of (*cont.*)
 conflict with Templars 199
 Muslim subjects 130, 141, 142, 183, 280
 privileges to subjects 147, 175
 Zaragoza 180, 181, 186, 305, 333–335, 336, 384
- hubus and waqf* 44, 56, 65, 105, 107, 139, 152
- Hūdids, *see* Banū Hūd
- Huesa 102–105, 187–191, 256, 287, 375
- Huesca 26, 50, 73–79, 117, 139, 160, 287, 296
 adelantati 157, 220
 alcaydus 160
 aljama 152, 207, 217–220, 237, 248, 263, 357–365, 381, 387
 aljama, privileges of 97, 172–177
 baiulus 159
 baiulus sarracenorum 382
 Cathedral 87, 186
 caualquem 157, 164, 170–171, 214
 Christian martyrs 29
 Council 27
 diocese of 284, 297
 Islamic 54–58, 59, 67, 73
 justicia 159–164
 merinus 173, 360, 381
 moreria 358
 Mozarabs 30
 Muslims 207, 287
 siege 13, 24, 78, 87, 93
 superiunctarius 360, 363
 Synod (1243) 299
 zalmedina 160–162, 173, 358, 364, 381
- Ibiza 16
- Ibn Jubayr 68, 81, 98, 252
- Ibn Rushd 104, 265, 407
- Ibn Tashfin 60, 67
- Ibn Tifilwit 94
- Illueca 134, 151
 aljama 151
 council 140, 151, 276
- imām* 55
- ʿImād al-Dawla, ʿAbd al-Malik b. Aḥmad Ibn Hūd 62, 75, 79, 84, 103
- indigenas*, Mexican 159
- infanzon* 108, 111, 136–137, 230, 288, 315, 377–378
- inheritance 252
- inheritance, intestate 153
- Innocent III, Pope 273
- iqṭāʾ* 108
- irrigation 7, 39, 63, 64, 68, 100, 115, 153, 179, 191, 197, 275–276, 393
- Islamic law 45–51, 96, 153–160, 162–164, 195, 248–253, 371, 378, 394–401
- Islamic magistrates 155–156, 159–170
- Islamic magistrates, jurisdiction in Lleida 165
- Islamization 27–28, 68
- Israel 101, 262, 393
- Israeli Arabs, *see* Arab Israelis
- Luneç, Ali de 218
- Jaca 13, 79, 87, 90, 285, 299
- Jaca, *fuero* 19, 229
- Jaca, Synod (1208) 299
- Jalón River 15, 26, 108, 114, 116–117, 146, 247, 264, 280, 373–374, 383
- James “Matamoros,” Saint 87
- Jarque 150
- Jassa, Ennegus Luppi de 162, 173, 230, 297, 313, 314, 330–331, 361–363, 380–383, 385, 387
- Jaume I, King of Aragon 8, 15–16, 91, 93, 97, 107, 130–132, 135, 161, 209, 265, 316, 327
 intervention in *Mudéjar* affairs 171, 187, 205, 216, 237, 302, 357, 366
 policy regarding Jews 272, 307, 311
 policy regarding Muslims 88, 96, 116, 132, 134, 177, 243–250, 255–257, 272–273, 290, 336
- Jaume II of Mallorca 269
- Jaume II, King of Aragon 16–18, 131, 133, 136–139, 208, 313
 foreign relations 199, 227–245, 290–291, 294
 intervention in *aljama* affairs 167, 175, 194–206, 220–224, 274–277, 286–294, 330, 331–334, 341–342, 355, 361, 362, 366–370, 377–379
 policy regarding Muslims 138–142, 198–199, 223–234, 285–301, 303
- jeneti* 231–233, 264, 285, 291–292
- Jerba 98, 226, 284, 404
- Jerez de la Frontera, battle 23
- Jewish law 208, 254
- Jews, in the Furthest March 32
- jihād* 50–51, 81–84
- Jiloca River 15, 26, 108, 117
- jiçya* 24, 83, 94, 256, 262
- Joan I 337
- judería* 127
- Julian (Yulyān), Count of Ceuta
 juratus 173, 267
 justicia 159, 160, 173
- khaṣṣa* 52
- kharja* 38, 53
- Khurasan 256
- Kosovo–Herzegovina 312
- kunya* 38

Index

- la Cueva, Petrus Juanyes de 342, 352
Lagata 127, 191, 276
Lateran III 227, 273, 299
Lateran IV 273, 282, 300
Latin 34, 37, 239
 use by Mudéjares 213, 240, 242, 394
laurus, see mulatto
Law, Roman 112, 347
León, Kingdom of 84, 89
Letux 127
Liber feudorum maior 91
Liber iudiciorum 90, 258, 273
literature 66
Lleida 26–29, 117, 280, 315, 317
 adelantati 158
 alcaydus 165, 169, 286, 360
 aljama 153–159, 196
 baïulus 159, 195, 301
 bishop 267
 canons 257
 congregational mosque 28
 corts (1301) 301
 council of 27
 diocese 284
 Islamic 54, 57, 60, 62, 73, 93
 Jewish community 157
 Jews and Muslims 320
 Muslim butchers of 194
 reputed absence of Arabic speakers 35
 zalmedina 215
Libres de repartiment 43
lluïsmè 180, 251
Llull, Ramon 244, 250, 251
Llúria, Roger de 218
Longares 274–275
Luceni 150, 269, 382
 aljama 132, 270
 sabasala 132
Luçera, family 339–346
Luçera, Faraig de 339–340, 341
Luçera, Selim de 343–344, 348
Luna, Artal de 265
Luna, Luppus (Lope) Ferrench de 150, 266,
 370, 384, 386
Luna, Sancho Xemeneç de 169

Maella 208
Magallón 103, 135, 184–185, 266, 275
Maghrib 2–5, 26, 34, 37, 50, 78, 104, 231–238,
 282–284, 290–291, 404
magistrates, Islamic, see Islamic magistrates
Málaga 49–60
Malikism 48
Mallén 230, 277, 336
 carta-puebla 30
Mallorca 16, 18–103, 228, 245, 285, 290
 conquest 103
 under Almoravids 73
Malón 134–141, 143, 225, 274–275
 aljama 137
 mals usos 112
Marinids 16, 76
market-gardens 59, 68, 101, 192–193
Martí I, King of Aragon 319, 337
Martin IV, Pope 269
Martini, Ferrandus 342, 345, 352, 355
masjid al-jāmi', see congregational mosque
Masones 193, 266, 271
Massilia, Guillelmus de 249, 354
Mazalcorag 185, 189
maẓālim 56
meat 194–195, 297–298, 299, see also *Halāl*,
 dietary laws
Mecca 49, 51, 87, 244, 282
Mequinenza 3, 37, 150
Mercedarians, Order of 233
mercenaries, see *jeneti*
merinus 158–160, 168–173, 374, 381, 387
merum et mixtum imperium 112, 133
Military Orders 8–9, 14–15, 92–93, 107–108,
 129, 137, 176, 256, 279, 280, 312, 332, 393
 privileges of subjects 147, 175
militias 266, 294
Minorca 16, 231, 272
 enslavement of Muslims 195, 228, 237
Miravet 199, 226, 318
 Mudéjares 114, 141
 privileges of Muslims 99
 Temple vassals 162, 175
miscegenation 255–256, 301, 305, 369, 407
miṣr 33
Molina, Raymundus de 162, 168, 173, 314
Molinos 176, 281
Moncayo, Sierra de 117, 190
Moneba, Petrus Eximini de 340–342, 355
monetaticus 141–142, 270
Montalbán 252, 271
Montblanc 117, 278
Montcada, family 131, 311
Montcada, Guillelmus de 133
Montcada, Raymundus de 132, 143, 157, 165
Monteagudo 188
Montearagón, Abbey of 154, 257
Montesino, Ali filius de Audella de 327
Montpellier 251
Montreal, Order of 90, 108
Monzón 117, 200, 269, 319, 335, 386
 capture 73
Mora 316
Morella 291

Index

- moreria* 127, 287, 302, 303–304
Moriscos 3, 239, 390
Moros de paz 167
Moro, origin and usage 47
Moros 146
Mosaic Law 300
mosque 105–107, 138–139, 152, 248–250, 296,
320, 397
mostassaf 160
Mozarabs 28–31, 119
muhtasib 55
mudejarismo 7–12, 125, 391
Muhammad II al-Faqih, King of Granada 61,
199, 291
Muhammad III, King of Granada 282
Muhammad, Prophet 34, 56, 61
mulatto 228, 249
al-Mundhir b. Yahya al-Tujibi, taifa ruler of
Zaragoza 61, 74
municipal councils, *see* town councils
al-Muqtadir, Aḥmād b. Sulaymān Ibn Hūd,
‘Imād al-Dawla, taifa ruler of Zaragoza
30–32, 38, 60, 73, 74, 80
al-Muqtadir, treaty with Sancho IV 72,
75, 87
al-Musta’in II, Aḥmad b. Yūsuf Ibn Hūd, Sayf
al-Dawla, Taifa ruler of Zaragoza 32, 60,
83
al-Mu’tamin, Yūsuf b. Aḥmad Ibn Hūd, Taifa
ruler of Zaragoza 32, 60, 73
Mutarra, Ali de 341–343, 347, 354
Mutarra, family 341, 351
muwalladūn 25, 29, 135
muwallad rebellions 29
- Naval 59, 242, 313, 382
Naval, surrender 59, 96
Navarre 16, 72, 77, 79, 89, 143, 199, 224, 230,
232, 385
Navarres 198
Navas de Tolosa, Las, Battle of 15, 93, 119
niger, *nigri*, *see* black
Niğüella 160, 224, 384
nisba 41–42
nasab 38, 42
Normans 13, 82, 89
Nunio and Alodio 29
- Oblitas, Jucef 202, 367, 385
Oblitas, Juneç 202, 381
Ocho Huevos, Jucef de 169, 200
officials, Christian 206
as executors in Muslim justice 171
in collusion with *Mudéjares* 205–206, 339,
355, 367
- Jewish 205
Muslims 308
Muslims, legitimacy of 156
Oliver, Raymundus 332
- Palestine 101, 356
Palestinians 393
Pallars, County of 28, 84, 91, 267
Pamplona, Kingdom of 14, 72, 89
Pan Farina, Mahomet de 378–379
Pantelleria 121
parias 60, 71–86
Peace and Truce of God 91, 272–316
Pedro I, King of Aragon 13, 35, 90, 92, 97
Pedrola 115, 384
Pelagius 85–86, 143
Peñíscola, Templar Commander of 168
Pere I, King of Aragon 15, 93, 130
policies towards Muslims 97, 176, 192–198,
299
Pere II, King of Aragon 16, 93, 138–139,
146–150, 222, 315–317, 319–321
intervention in *Mudéjar* affairs 171, 209, 241,
267–270, 330, 347–349, 358, 366, 375,
384
policies towards Muslims 88–97, 110,
143–156, 177, 223–226, 264, 268–287
Pere III, King of Aragon 97
policies regarding Muslims 176, 255
peyta 134, 333, 368, 384
Philippe III, King of France 269
Piedra, Monastery of 116, 287–288, 289–315
Pina 102, 117, 139, 254, 278, 296
Pina, *alcaydus* 206
council of 136
Mudéjar debtors 205–206
Muslims of 176
tax assessment 134–135
Pisans 61
Placencia 139
Poblet, Monastery of 84, 117, 199, 278–315
polygamy 46, 237
Porta, Mahomet filius Alfaquimi Ismahel de
204, 215, 309, 310, 366, 372, 381
Portella, Azmel de
Portella, family 203
Portella, Muça de 143–144, 153, 161–312,
385–387
primicias 116, 133, 141, 198, 205, 249, 367, 382,
see also canonical taxes
Privilegium generale 16, 161
procurador 274
procurador generalis, *see* Aragon, *Procurador
generalis*
prostitutes 311–312, 320

Index

- qā'ūd* 49, 54–59, 155–159, 170–172, 359,
402–404
qādi-ships, serial 248
al-Qādir, Yaḥyā b. Ismāil, Taifa rule of Toledo
77
Quart 230
quinta 227–229
Qur'ān 46, 52, 56, 65, 239
- Ramaḍān 33, 51, 139
Ramiro I, King of Aragon 90, 103
assassination 37, 74
Ramiro II, King of Aragon 14, 74
Ramon Berenguer III, Count of Barcelona 73
Ramon Berenguer IV, Count of Barcelona
14–15, 84, 91, 92–93, 174
betrothal to Petronila 14, 91, 125
settlement policy 107–109, 110, 197
Ravaya, Jucef 205
Razazol 277, 318
razzia, see *ghazw*
realencho 137, 185, 330, 335, 341, 367, 381
Reconquest 2–13, 85–87, 88, 97
redemptio exercitus 264, 267–269, see also *exercitus*
remança 112, 236
Remolins 165, 180
Reverter 78
Rey, Çalema de 364
ribāṭ 50–51
Ricla 26, 172, 385
alfaquinus 156–161, 170, 219, 241, 351,
383
aljama 141–142, 156, 168, 207, 276, 332,
377
aljama, privileges of 97
Christians and Muslims 141, 276
council 141, 153, 274, 377
justicia 161, 220, 241, 306
tax assessment 134
Temple vassals 185–187, 332–335
Robert of Ketton 104
Roda, Petrus de 131, 146
Roldán, Eva 103
Roman Law, see law, Roman
Romance 37–38, 53
use by *Mudéjares* 213, 242, 246, 394
Royo, Aljaffar del 358, 382
Rueda 61, 75, 191, 224
council of
Islamic 61
Mudéjar debtors 208
Muslims of 131
tax assessment 134
Monastery of 84, 139, 142, 193, 198, 223,
305, 314–317
- سابسالاميا* 155
šadaqa 56, 139
Salanova, Eximinus Petri de 333, 334–335, 380
San Esteban de Gormaz 78, 168
San Millán, Monastery of 87
San Pedro el Viejo, Church of 30, 115, 172,
192, 359, 362
Sancha of Castile 74
Sancho “the Great,” King of Navarre 58
Sancho III, King of Navarre 90
Sancho IV, King of Navarre, treaty with
al-Muqtadir 72–75, 87
Sancho Ramírez 13, 60, 73, 90, 103
Sancho VI, King of Navarre 89
Sancho VII, King of Navarre 89
Sant Esteban 266–268, 269
Santa Cruz 131
Santes Creus, Monastery of 129
Santiago, pilgrimage to 74
Sapate, Johannes 332
Saracen, origin and usage 47
Sástago 149
aljama 150
Saulinyan, Mahomet de 342, 343, 353
Saviñán 134–160, 219, 277
alcaydus 170
alfaquinus 348, 349, 383; limits of jurisdiction
215, 219
Sayf al-Dawla 62, 75
scribania 155, 242
scriptor 240
segmentary social system 58, see also family
structure, Oriental
Serés 141
Sestrica 155, 164
sexual relations, see miscegenation
sharecropping 181, 236, see also *shirka*, *exaricus*
sharī'a 45, 52–55, 96, 138–169, 171, 254, 402,
see also *sunna*
Shiism 52
shirka 11, 64, see also *exaricus*, sharecropping
shu'ūbiyya 53–54
Sicilian Vespers 269, 365
Sicily, Muslims of 98, 407
Simancas, Battle of 67
Slava, Bartholomeus de 331–332, 377
slavery 80, 81–85, 271, 306
under Islam 52, 231–232
slaves 11, 52–65, 160, 213–221, 280–281,
302–306, 381–382
slaves, manumission of 232–238, 257
sodomy 223, 258
softras, see *azofra*
Soria 192, 284
stock-raising, see animal husbandry

Index

- subbailulus* 387
sulḥān 52, 63
sunna 45, 65, 164, 165, 194–195, 203, 218, 232,
310, 340, 341, 343–347, 348, 349, 363,
370, 379
superiunctarii 160, 170, 173, 202, 220
surrender treaties 95, 97, 157, 229
Sylvester II (Pope) [Gerbert] 79
synagogues 248–249, 250, 278, 319
syncretism 33–34, 48
- taifa* 1, 36, 63, 70, 82–83
Taliban 301
Tamarite de Litera 97, 208
Tarazona 26, 87, 116, 134, 159, 160, 232
alfaqimus 151, 153
aljama 151, 186, 262–263
Bishop 116, 205, 268, 284, 367
Christians and Muslims 202
diocese 284, 304
Mudéjar debtors 203
palace 195
superiunctarius 170, 202, 220, 271–274, 383
superiunctarius, jurisdiction 383
Tarba, Galatanus de 297, 377
Tarini, Bartholomeus 377, 380, 387
Tarini, Egidius 168, 186, 223, 254, 331–332,
333
Tarragona 26
Bishop 181, 227, 252, 313
Council of 27, 255, 299
hinterland 109, 229
Jewish community 32
Metropolitan of 29
Tauste 137, 275
taxes 128–147, 241, 269, 275, 303, 312,
396–403
accounts 241, 242, 382
collection of 269
remission of 143–177, 205, 218, 316, 368
Templar, Knights 15, 99, 109, 129, 151, 162,
199, 208, 221, 253, 277, 296, 314–317,
see also listings under towns
at Ricla 185, 187
Barbastro 228, 280
Barberà 278
Barcelona 228
commander of Ambel 175
commander of Huesca 172, 229
commandery of Tortosa 131, 166, 299, 311
conflict with the Hospitallers 199
Miravet 314
Muslim subjects 141, 168, 175, 199, 280,
314, 318, 386
Provincial Master of Aragon 318
tax privileges 126, 147, 175, 185–187, 329,
384
Zaragoza 329–338
- tenencias* 58
Terrer 116, 288–289
Teruel 26, 108, 117, 146, 247–249, 277, 294,
307, 315
alaminus 163
aljama 154, 302
Christians 302
fuero 116, 167
homines 146
Jews 302
justices 167
Muslims 192, 247, 302
scriptor 286
superiunctarius 173
thaghr 11–12, 13, 93–102, 118, 138, 169, 178,
394–395
Thaghr al-Aqsāʾ, *see* Furthest March
Thomasii, Bartholomeus 153, 311, 358,
373–376
tithes, *see* canonical taxes
Tlemcen 222
Toledo 2, 29, 50, 75–76, 92, 104
fuero 31
toponymy 9, 36
Torrente de Cinca 133, 275
Torres de Berrellén 150
Torroellas 130, 269–294
Tortosa 26, 102, 131–132, 141, 154, 183,
290–311, 315
alcaydus 157–164
aljama 143–157
aljama procuradores 157
baiulus 272, 277
Christian settlers 197
congregational mosque 107
Costums 166, 223, 230, 235, 255, 272,
301–307
Islamic 55, 60
Jewish residents 165–168
Muslim residents 130–142, 165–168, 192,
288–301
siege of 61
surrender of 67, 95–96, 98, 104, 157, 166
zalmedina 166
Toulouse, Council of 88
town councils 14, 128, 173, 174, 265
trade agreements 74, 79
trade and commerce 104, 198–201, 214–247
tradesmen, *see* artisans
translation 31, 104, 184, 240
translators 104, 240–242, 245
treaties 199

Index

- Tudela 3, 59, 75, 102, 105, 363, 385
alfaqūnus 247
bearded lady of 45
Cathedral chapter 184
fuero 110
Islamic 54
Mudéjares 188, 200
surrender 67, 96
Tujibids, *see* Banū Tujīb
Tunis 246, 282
Tunisia 16, 218, 222, 251, 284
- '*ulamā'* 33, 49, 103, 248, 299, 392, 404,
407
Uniones 16, 111, 141–143, 161, 265–284,
290–316, 365, 385
universitas 173–174
universitas, non-Christians as members 174
Urgell 91
Urraca, Queen of Castile 79, 93
Urrea 226, 382, 386
Urrea, Eximinus de 160
Urrea, Johannes Eximinis de 175, 320
'*ushr* 56
usury 145, 202–207, 209, 218, *see also* credit
- Valencia, city 93, 233, 254, 291
baiulus 226
conquest by Jaume I 107
Islamic 60, 77
Islamic, conquered by el Cid 76
raval 287–312
Valencia, Kingdom of 18, 97, 110, 119, 143,
224–230, 243–260, 271–285, 286–291
furs 233
Mudéjares of 88, 243, 263, 291–292, 406
Velilla 171
Velilla, *alfaqūnus* 359–360
Venice 25
Veruela, Monastery of 43, 45, 189–190, 275,
287
Veruela, Monastery of, Muslim subjects of 132,
184–190, 384
vicarius 162
Vidal mayor 112, 132, 161–163, 186, 224–258,
281
Vienne, Council of 407
- Villafeliche 284
Muslim debtors 206–209, 243
Villahermosa 103
Villarreal 110
Villastar 99
Villena 163
Vimbodí 278
violence 218
Visigoths 23–26, 85
- wall maintenance, *see* fortifications, municipal
waqf, *see* *hubūs*
white 228–234, 235, 332
- Xátiva 247, 278
- Zalaqa, Battle of 67, 84
Zanāta 36
Zaragoza 26, 72–73, 77–79, 134–159, 174, 217,
296, 374
adelantati 158
alcaydus, jurisdictional area 214
alcaydus 130–139, 170, 200, 247, 348,
349–351, 368, 379–383
aljama 139–153, 320, 329–338, 374–379
baiulus 373
Cathedral chapter 318, 336, 377, 382
congregational mosque 110
Council of 27, 136
Crusade against 88
fall of to the Aragonese 60–61, 94, 98
Jewish *aljama* 136, 206, 249–255, 312–321
Jewish community 32
Jews, as creditors 205–209, 271, 368
justicia 173
merinatus 153, 374
merinus 158, 168, 297, 330, 331–333
morería 200, 303, 334, 379–380
Mozarabs 30
Mudéjar debtors 203–206, 209
rebellions 54, 66
superiunctarius 173, 315
taifa Kingdom 54, 76
zalmedina 159, 333, 340, 375
Zirids, Zirids 35; *see also* Banu Zīrī
zunnār 302
Zurita, *fuero* 30

Cambridge Studies in Medieval Life and Thought
Fourth series

Titles in series

- 1 The Beaumont Twins: The Roots and Branches of Power in the Twelfth Century
D. B. CROUCH
- 2 The Thought of Gregory the Great*
G. R. EVANS
- 3 The Government of England Under Henry I*
JUDITH A. GREEN
- 4 Charity and Community in Medieval Cambridge*
MIRI RUBIN
- 5 Autonomy and Community: The Royal Manor of Havering, 1200–1500*
MARJORIE KENISTON MCINTOSH
- 6 The Political Thought of Baldus de Ubaldis*
JOSEPH CANNING
- 7 Land and Power in Late Medieval Ferrara: The Rule of the Este, 1350–1450*
TREVOR DEAN
- 8 William of Tyre: Historian of the Latin East*
PETER W. EDBURY AND JOHN GORDON ROWE
- 9 The Royal Saints of Anglo-Saxon England: A Study of West Saxon and East Anglian Cults
SUSAN J. RIDYARD
- 10 John of Wales: A Study of the Works and Ideas of a Thirteenth-Century Friar*
JENNY SWANSON
- 11 Richard III: A Study of Service*
ROSEMARY HORROX
- 12 A Marginal Economy? East Anglian Breckland in the Later Middle Ages
MARK BAILEY
- 13 Clement VI: The Pontificate and Ideas of an Avignon Pope*
DIANA WOOD
- 14 Hagiography and the Cult of Saints: The Diocese of Orléans, 800–1200
THOMAS HEAD
- 15 Kings and Lords in Conquest England*
ROBIN FLEMING

16 Council and Hierarchy: The Political Thought of William Durant the Younger*

CONSTANTIN FASOLT

17 Warfare in the Latin East, 1192–1291*

CHRISTOPHER MARSHALL

18 Province and Empire: Brittany and the Carolingians

JULIA M. H. SMITH

19 A Gentry Community: Leicestershire in the Fifteenth Century, c. 1422–c. 1485*

ERIC ACHESON

20 Baptism and Change in the Early Middle Ages, c. 200–1150*

PETER CRAMER

21 Itinerant Kingship and Royal Monasteries in Early Medieval Germany, c. 936–1075*

JOHN W. BERNHARDT

22 Caesarius of Arles: The Making of a Christian Community in Late Antique Gaul*

WILLIAM E. KLINGSHIRN

23 Bishop and Chapter in Twelfth-Century England: A Study of the *Mensa Episcopalis**

EVERETT U. CROSBY

24 Trade and Traders in Muslim Spain: The Commercial Realignment of the Iberian Peninsula, 900–1500*

OLIVIA REMIE CONSTABLE

25 Lithuania Ascending: A Pagan Empire Within East-Central Europe, 1295–1345

S. C. ROWELL

26 Barcelona and Its Rulers, 1100–1291*

STEPHEN P. BENSCH

27 Conquest, Anarchy and Lordship: Yorkshire, 1066–1154*

PAUL DALTON

28 Preaching the Crusades: Mendicant Friars and the Cross in the Thirteenth Century*

CHRISTOPH T. MAIER

29 Family Power in Southern Italy: The Duchy of Gaeta and Its Neighbours, 850–1139*

PATRICIA SKINNER

- 30 The Papacy, Scotland and Northern England, 1342–1378*
A. D. M. BARRELL
- 31 Peter des Roches: An Alien in English Politics, 1205–1238*
NICHOLAS VINCENT
- 32 Runaway Religious in Medieval England. *c.* 1240–1540*
F. DONALD LOGAN
- 33 People and Identity in Ostrogothic Italy, 489–554*
PATRICK AMORY
- 34 The Aristocracy in Twelfth-Century León and Castile*
SIMON BARTON
- 35 Economy and Nature in the Fourteenth Century: Money, Market Exchange and the Emergence of Scientific Thought*
JOEL KAYE
- 36 Clement V*
SOPHIA MENACHE
- 37 England's Jewish Solution, 1262–1290: Experiment and Expulsion*
ROBIN R. MUNDILL
- 38 Medieval Merchants: York, Beverley and Hull in the Later Middle Ages*
JENNY KERMODE
- 39 Family, Commerce and Religion in London and Cologne: A Comparative Social History of Anglo-German Emigrants, *c.* 1000–*c.* 1300*
JOSEPH P. HUFFMAN
- 40 The Monastic Order in Yorkshire, 1069–1215
JANET BURTON
- 41 Parisian Scholars in the Early Fourteenth Century: A Social Portrait
WILLIAM J. COURTENAY
- 42 Colonisation and Conquest in Medieval Ireland: The English in Louth, 1170–1330
BRENDAN SMITH
- 43 The Early Humiliati
FRANCES ANDREWS
- 44 The Household Knights of King John
S. D. CHURCH
- 45 The English in Rome, 1362–1420: Portrait of an Expatriate Community
MARGARET HARVEY

- 46 Restoration and Reform: Recovery from Civil War in England, 1153–1165
GRAEME J. WHITE
- 47 State and Society in the Early Middle Ages: The Middle Rhine Valley, 400–1000
MATTHEW INNES
- 48 Brittany and the Angevins: Province and Empire, 1157–1203
JUDITH EVERARD
- 49 The Making of Gratian's *Decretum*
ANDERS WINROTH
- 50 At the Gate of Christendom: Jews, Muslims and 'Pagans' in Medieval Hungary, c. 1000–c. 1300
NORA BEREND
- 51 Making Agreements in Medieval Catalonia: Power, Order, and the Written Word, 1000–1200
ADAM J. KOSTO
- 52 The Making of the Slavs: History and Archaeology of the Lower Danube Region, c. 500–700
FLORIN CURTA
- 53 Literacy in Lombard Italy c. 568–774
NICHOLAS EVERETT
- 54 Philosophy and Politics in the Thought of John Wyclif
STEPHEN E. LAHEY
- 55 Envoys and Political Communication in the Late Antique West, 411–533
ANDREW GILLET
- 56 Kings, Barons and Justices: The Making and Enforcement of Legislation in Thirteenth-Century England
PAUL BRAND
- 57 Kingship and Politics in the Ninth Century: Charles the Fat and the End of the Carolingian Empire
SIMON MACLEAN
- 58 In the Shadow of Burgundy: The Court of Guelders in the Late Middle Ages
GERARD NIJSTEN
- 59 The Victors and the Vanquished: Christians and Muslims of Catalonia and Aragon, 1050–1300
BRIAN A. CATLOS

* Also published as a paperback